

Mr. COPELAND. I have no disposition to press for a final vote tonight. Therefore I yield the floor at this time.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters, which were ordered to be placed on the Executive Calendar.

THE JUDICIARY

The PRESIDENT pro tempore. If there be no further reports of committees, the first order of business on the calendar will be stated.

The legislative clerk read the nomination of Howard L. Doyle to be United States attorney, southern district of Illinois.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Joseph T. Votava to be United States attorney, district of Nebraska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. ROBINSON. I ask unanimous consent that nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. ROBINSON. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 3 minutes p. m.) the Senate, in legislative session, took a recess until tomorrow, Wednesday, April 3, 1935, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 2 (legislative day of Mar. 13), 1935

UNITED STATES ATTORNEYS

Howard L. Doyle to be United States attorney, southern district of Illinois.

Joseph T. Votava to be United States attorney, district of Nebraska.

POSTMASTERS

IOWA

William S. Richard, Corydon.

KENTUCKY

Victor D. Bordes, Crab Orchard.

Nel L. Blackburn, Georgetown.

Mary B. Helm, Stanford.

Coy B. Reynolds, Waynesburg.

PENNSYLVANIA

Edward F. Januszewski, Monessen.

WISCONSIN

Gus W. Schiereck, Plymouth.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 2, 1935

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we trust that we hold in our hearts unspeakable praise and gratitude because Thou hast put on human nature and carried it up the hills of light. We thank Thee, Father, for Thy marvelous gift to the world. He overcomes doubt, destroys sin, cures sorrow, breaks down

barriers, and establishes the kingdom of brotherhood in the minds and hearts of men. We are thus made free from annoying disquietudes, and are blest with contentment undisturbed. We pray that we may love Thee with all our hearts and understanding and our neighbors as ourselves. This is infinitely more than whole sacrifices and burnt offerings. Heavenly Father, sustain us with a fine sense of human rights; the right to be well born; the right to know the meaning of religion; the right to worship Thee according to the voice of conscience; the right to work; and the right to have a share in the good things of life. Show us the path today, blessed Lord, and secure to us and to our children blessings of the fullness of joy. Thine shall be the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON THE JUDICIARY

Mr. UTTERBACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have permission to sit during the sessions of the House today and the balance of this week.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization may have permission to sit during sessions of the House on Wednesday and Thursday of this week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILDEBRANDT. Mr. Speaker, the gentleman from North Dakota [Mr. LEMKE] is unavoidably detained. He has requested that I ask that he be granted unanimous consent to address the House for 30 minutes tomorrow after the reading of the Journal and the disposition of business on the Speaker's table.

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, I desire to submit a unanimous-consent request.

The SPEAKER. The gentleman cannot do that under a reservation of objection. Is there objection to the request of the gentleman from South Dakota?

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, I doubt the wisdom of the House consenting to starting off the day with 30-minute speeches. Members of the House complain to me saying that they come over here prepared to take up the regular announced business of the House for the day and do not like to leave their offices and come here and have to listen to some 20- or 30-minute speeches. I just pass the matter up to the House. If the gentleman from South Dakota is granted 30 minutes, there is no reason why we should not grant a like time to half a dozen other Members. I feel that the House would like to have these speeches either made under general debate or later in the day. I do not care to be solely responsible for interfering with speeches, but I do feel that they ought to be made as much as possible at times when they will interfere with business as little as possible. I have said before that I think business is more important than speeches. However, if no one else cares to object to the request of the gentleman from South Dakota, I will not.

Mr. HILDEBRANDT. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield.

Mr. HILDEBRANDT. It is not unusual to submit such requests as I have made.

Mr. TAYLOR of Colorado. I know it is not. It is too common.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

ADMINISTRATION OF THE WHEELER-HOWARD ACT

Mr. KVALE. Mr. Speaker, I ask unanimous consent to renew permission granted me some time ago to print my own remarks in the RECORD, including certain excerpts from testimony in committee hearings and from the last annual report of the Secretary of the Interior.

Mr. RICH. Mr. Speaker, reserving the right to object, are the excerpts from the report of the Secretary of the Interior very extensive?

Mr. KVALE. I would not say they were extensive; they occupy perhaps three pages of the hearings. They are material and I think they should be incorporated in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KVALE. Mr. Speaker, under leave to extend my remarks, I desire to reply to certain unfortunate criticisms which have been and are being leveled against the Honorable John Collier, Commissioner of Indian Affairs, as well as against the administration of the Wheeler-Howard Act which was made law by the Seventy-third Congress. It seems to me that the fate of certain fundamental principles which are involved demand that at this time someone undertake the duty of assembling in one place certain data and certain facts which may eloquently speak for themselves.

Mr. Speaker, a long personal acquaintance with John Collier, a knowledge of the peculiar zeal and devotion which has marked his lifelong activity in behalf of the Indians and their problems, a familiarity with his refreshing and liberal independence of thought and action, and the undeniable record of his capable and incorruptible administration in office, lead me to the conclusion that he, personally and individually, does not require my assistance nor that of any other volunteer. John Collier can and will take care of himself.

So, Mr. Speaker, in turning at once to the facts pertinent to the current drive against operation of the Wheeler-Howard Act, I include a very brief and timely editorial which appeared in the militant Washington News under date of March 26. It reads:

OLD DEALS FOR NEW

When Indian Commissioner Collier announced his plan to restore self-determination and self-respect to the exploited first Americans, Congress cooperated. It passed the Wheeler-Howard Indian Reform Act. Then a great majority of the tribes eagerly accepted their new deal by popular vote.

Today reaction in and out of Congress threatens to nullify this progressive measure.

The law authorized appropriations of \$12,500,000 for purchase of land for landless Indians, creation of a revolving loan fund, educational loans, and tribal organization expenses. But the Budget Bureau this year cut this to \$6,425,000. Then a House subcommittee sheared that down to \$3,275,000. Here was a total cut of nearly 75 percent of the authorization of last year.

In addition, enemies of the measure have launched personal attacks against Commissioner Collier. One critic demanded his impeachment on the ground that he was a member of the Civil Liberties Union.

In the Indian country certain cattlemen, lumbermen, and others are still trying to persuade the tribes to reject the measure. They have not succeeded, however. Apart from the Oklahoma Indians who were not covered by the law only one important reservation, that of Fort Peck, Mont., has rejected it.

The Senate should undo the effects of the ill-considered House attack. The white man has established a pretty consistent record for double-dealing with his redskin brother, a record that the Wheeler-Howard Act sought to redeem. Is this, too, going to turn out another broken treaty?

As the editorial suggests, the first purpose of the Wheeler-Howard Act was to secure new land of a better quality and type for the Indians, securing for them the possession and use of that land, excluding white stockmen from the land which the Indians can use, terminating the contract system of Indian timber cutting and substituting a tribal operation of the forests. Generally it represented a complete new deal for the Indians.

These aims, and an admirably clear statement of the difficulties involved, are contained in the opening pages of the Commissioner's annual report, which are made a part of the

last annual report—1934—of the Secretary of the Interior. They follow:

The fiscal year 1934 has been a reorientation of Indian Service policies, and many reorganizations completed or set under way. It has been a year of intense labor, because numerous emergency tasks (some of them of dominating importance to the Indians) have been thrown upon an overhead personnel which previously had been considered a meager one for the regular work alone. On the whole, the staff has met its challenge, and the response of the Indians has gone beyond anything previously hoped for.

THE WHEELER-HOWARD ACT

In the last paragraph of the Commissioner's annual report for 1933 it was stated:

"If we can relieve the Indian of the unrealistic and fatal allotment system, if we can provide him with land and the means to work the land; if, through group organization and tribal incorporation, we can give him a real share in the management of his own affairs, he can develop normally in his own natural environment. The Indian problem as it exists today, including the heaviest and most unproductive administration costs of public service, has largely grown out of the allotment system which has destroyed the economic integrity of the Indian estate and deprived the Indians of normal economic and human activity."

The allotment system with its train of evil consequences was definitely abandoned as the backbone of the national Indian policy when Congress adopted and the President approved the Wheeler-Howard bill. The first section of this act in effect repeals the General Allotment Act of 1887. During numerous committee hearings, during several redrafts and modifications affecting every other part of the measure, this first section was never questioned or revised. It reached the President's desk in its original form without the change of a word or a comma, indicating that Congress was thoroughly convinced of the allotment system's complete failure and was eager to abandon it as the governing policy.

THE ACT'S TWOFOLD AIM

The Wheeler-Howard Act, the most important piece of Indian legislation since the eighties, not only ends the long, painful, futile effort to speed up the normal rate of Indian assimilation by individualizing tribal land and other capital assets but it also endeavors to provide the means, statutory and financial, to repair as far as possible, the incalculable damage done by the allotment policy and its corollaries. Unfortunately, the beginning of the repair work had to be in large part postponed, because the authorized appropriations could not be made by Congress after the passage of the act during the closing days of the session.

The repair work authorized by Congress under the terms of the act aims at both the economic and the spiritual rehabilitation of the Indian race. Congress and the President recognized that the cumulative loss of land brought about by the allotment system, a loss reaching 90,000,000 acres—two-thirds of the land heritage of the Indian race in 1887—had robbed the Indians in large part of the necessary basis for self-support. They clearly saw that this loss and the companion effort to break up all Indian tribal relations had condemned large numbers of Indians to become chronic recipients of charity; that the system of leasing individualized holdings had created many thousands of petty landlords unfitted to support themselves when their rental income vanished; that a major proportion of the red race was, therefore, ruined economically and pauperized spiritually.

ECONOMIC REHABILITATION—LAND PURCHASES

To meet this situation, the act authorized a maximum annual appropriation of \$2,000,000 for the purchase of land for landless Indians. This maximum appropriation, even if continued over a term of years, will meet only the most pressing emergency-land needs of the Indians. It must be remembered that since 1887 the Indian race has lost the use of 90,000,000 acres, the cream of its land holding. With an annual appropriation of \$2,000,000 and an average base price of \$20 per acre, it would require 20 years to restore 2,000,000 acres for Indian use.

While Congress did not specifically direct the consolidation of Indian lands broken up and checkerboarded with white holdings in the allotment process, it authorized such consolidation and set up the machinery for it. Congress also authorized the establishment of new reservations for now completely landless and homeless Indians and directed that title to all newly purchased land should be taken in the name of the United States in trust for the Indian tribe or individual Indian, who will have the use and occupancy of the land. Thus, the policy of common ownership of land enunciated in section 1 of the Wheeler-Howard Act is reaffirmed and implemented throughout the body of the statute.

Part of the effort at economic rehabilitation is the indefinite extension of all restrictions on the alienation of Indian trust lands as prescribed by section 2. However, this section merely locks the door out of which passed the valuable team of work horses, leaving the decrepit plug behind.

THE REVOLVING CREDIT FUND

The sponsors of the General Allotment Act of 1887 believed that the division of the tribal land among the members of the tribe would create in the Indian the pride of individual ownership and induce him to make use of his own land for the support of his family. Overlooked entirely was the cold fact that capital in some form is needed to transform even a piece of the best raw land into a productive farm. Since the Indian's newly acquired private

land could not legally be pledged as security for bank or private loans, it was the duty of the Federal Government to place at the disposal of its wards credit in sufficient volume to meet their need for operating capital.

This imperative duty the Federal Government never recognized. Instead, it chose the easier road. It rapidly relaxed its restrictions on leasing. Lacking equipment for farming, the average Indian family proceeded to lease its land to white farmers or stockmen for cash. The leasing system, demoralizing to the Indians and contributing to the surplus of commercial farm products, spread like the Russian thistle. To this day the Indians who rely on the shrinking volume of lease money for their main support far outnumber those who farm their own allotted land.

What was true 50 years ago is true today. Without a reasonable amount of capital for permanent improvements, livestock, seed, implements, etc., the Indian owner of a piece of land cannot hope to make his living from the cultivation of the soil. To meet this pressing need the Wheeler-Howard Act authorizes a revolving credit fund of \$10,000,000.

This fund is to supply the long-term and short-term credit requirements of some 250,000 persons. Much of it must be tied up in long-term loans for sawmills, homes, and other improvements. Yet there is a huge demand for short-term loans to finance seasonal farm operations. The new lands to be bought for landless Indians must be improved and fenced, homes must be built, implements and seed acquired for the settlers, almost solely out of the revolving credit fund. In all probability the demands of the forthcoming year will demonstrate that it is inadequate.

THE HEIRSHIP-LAND PROBLEM

In the natural course of events privately owned Indian lands must on the death of the owner be divided among his heirs and, in turn, among the heirs of the heirs. This result of the allotment system brings about the forced sale of Indian heirship lands, usually to white buyers. If there are no buyers, the heirship land must be leased and the proceeds distributed among the numerous heirs at an expense out of all proportion to the size of the gross revenue.

The Wheeler-Howard Act is taking the first hesitant step toward the solution of this problem. The new law, while allowing Indian owners to leave or devise their restricted land to any member of the tribe or to their heirs, regardless of tribal affiliations, in accordance with applicable State or Federal laws, bars the owners or heirs from selling restricted Indian lands to anyone except the tribe or the tribal corporation in the jurisdiction of which the land is located.

Obviously this negative provision, inapplicable in Oklahoma and on the Klamath Reservation, does not solve the problem. Some 7,000,000 acres are now in the heirship status; the acreage is increasing every month. The tribes have not the money with which to purchase this land. At only \$5 per acre, it would require \$35,000,000 to reacquire this land; the maximum authorized appropriation for 17½ years would be needed to return the land now in the heirship status for tribal use.

If the problem is to be solved within a reasonable time, the cooperation of the allottees and heirs must be had. They must learn that for the sake of their race and of their children they should voluntarily transfer the title to their individual holdings to the tribe or to the tribal corporation, receiving in return the same rights as they enjoy now, namely, the right to use and occupy the land and its improvements, to receive the income from the land, and to leave the same rights to their children, except that the children and other heirs could not cut up the land into small, unusable pieces.

Where the land in process of inheritance has already been so divided among numerous heirs, they will have the opportunity to return the small parcels to the tribe or tribal corporation, receiving interests in the corporate property in exchange. Thus the tribe would acquire title to now unusable land which, after consolidation, could be assigned for the use of interest holders in tracts of usable size.

SPIRITUAL REHABILITATION

Through 50 years of "individualization", coupled with an ever-increasing amount of arbitrary supervision over the affairs of individuals and tribes so long as these individuals and tribes had any assets left, the Indians have been robbed of initiative, their spirit has been broken, their health undermined, and their native pride ground into the dust. The efforts at economic rehabilitation cannot and will not be more than partially successful unless they are accompanied by a determined simultaneous effort to rebuild the shattered morale of a subjugated people that has been taught to believe in its racial inferiority.

The Wheeler-Howard Act provides the means of destroying this inferiority complex, through those features which authorize and legalize tribal organization and incorporation, which give these tribal organizations and corporations limited but real power, and authority over their own affairs, which broaden the educational opportunities for Indians, and which give Indians a better chance to enter the Indian Service.

Even before the passage of the Wheeler-Howard bill a great spiritual stirring had become noticeable throughout the Indian country. That awakening of the racial spirit must be sustained, if the rehabilitation of the Indian people is to be successfully carried through. It is necessary to face the fact that pauperization, as the result of a century of spoliation, suppression, and paternalism, has made deep inroads. Of necessity it will take time, patience, and intelligent, sympathetic help to rebuild the Indian character where it has been broken down.

The first step in this rebuilding process must be the reorganization of the tribes, authorized by the Wheeler-Howard Act. In the past they managed their own affairs effectively whenever there was no white interference for selfish ends. They can learn to do it again under present conditions with the aid of modern organization methods, once they realize that these organizations will be permanent and will not be subject to the whims of changing administrations. These organizations, both tribal and corporate, will make many initial mistakes; there will be many complaints against shouldering the load of responsibility that accompanies authority. The task of organizing and incorporating the tribes will be difficult and laborious, calling for the maximum amount of skill, tact, firmness, and understanding on the part of the organizers. But the result should be the development of Indian leadership capable of making the Indian tribal organizations and corporations function effectively with a minimum of governmental interference.

Mr. Speaker, referring again to the editorial comment on the drastic and crippling cut which the Bureau of the Budget and the House of Representatives administered to the funds for carrying out the provisions of the Wheeler-Howard Act, let me quote this paragraph from the same annual report. It is compelling. The Commissioner states:

We are still falling down badly in helping the Indians to get the maximum economic and social value for their forest and range. This necessitates that they should use it themselves, instead of leasing the privilege to someone else. Using their own resources would give the Indians a much larger income than at present, for they could not only receive the value of their stumpage prices or grazing fees, but also they would make wages; and if their enterprises were properly managed, they should be able to make at least as much profit as has come in the past to the lumber and livestock industries. Furthermore, there would be the immense social value of having the Indians working for their income.

The Wheeler-Howard Act, authorizing the appropriation of \$10,000,000 for loans to Indian tribes, communities, or individuals, should help to make possible the use of the Indian resources by the Indians themselves. Through capital borrowed from the Government the Indians on most of the reservations should be able to purchase either their own sawmills and logging equipment or a foundation livestock herd with which to utilize their forest and range.

Furthermore, extracts from the Commissioner's testimony before the House Appropriation Committee's subcommittee are pertinent and informative. He stated to them on February 6 that—

During the last session of Congress the Indian committees held almost continuous hearings, which revolved primarily around the subject of how we could make the Indians self-supporting on the land.

Those hearings were occasioned by the submission of an administration bill introduced by the chairmen of the two committees, Mr. WHEELER and Mr. HOWARD.

SHRINKING OF LANDS AND GENERAL LIVING CONDITIONS OF THE INDIANS

Those examinations and hearings carried out by the committees showed that the Indian lands had been shrinking steadily and in sort of a remorseless fashion for the last 45 years. There had been 137,000,000 acres of good Indian land in 1887. There were now 47,000,000 acres, and about half of that was desert or semidesert land.

The losses of land had not fallen evenly upon the Indians, but in a very uneven way. Some Indians were still in possession of a lot of land, but more than 100,000 Indians had lost all of their land and there were that many landless Indians, of whom a very large number were just living in hovels, the poorest housing conditions in the United States.

An additional 50,000, at fewest, were substantially, though not absolutely, landless.

Among the reasons which were clearly brought out as to why the Indians had lost their land were, first of all, the operation of the allotment system, which contemplated that as the Indian died his land would be sold; that is, it had to be partitioned, physically partitioned, among the heirs, or sold, so that the law itself compelled the alienation of the Indian land and the cash proceeds were eaten up in short order.

Also, it was brought out that the Government had never supplied to the Indians a system of financial credit to enable them to go forward as farmers or stockmen. The only credit extended to them had been this little industrial reimbursable amount each year that has been running around \$300,000 a year for the entire Indian population, of course entirely inadequate as a credit fund.

TERMS OF THE WHEELER-HOWARD BILL

Now, as a result of all those discussions the modified Wheeler-Howard bill was passed and became law. That bill established definitely a new congressional policy in certain essential matters. It prohibited the allotment in severalty of tribal lands, thereby, if you will, closing the door after most of the horses had gotten out; yet there are important tribal areas in some parts of the country which can yet be conserved and used to support a good life for the Indians of those regions.

Then the bill enunciated that landless Indians should be revested with land through purchase or otherwise. The new land should not become the property of the individual who received it; the title would remain in the Government; the Indians would have the per-

petual use of the land and the ownership of improvements, and so on, the right of transmitting his exclusive use of the land to his heirs, but he could not alienate it.

Two million dollars a year was authorized to be appropriated for the purchase of land for homeless Indians, landless Indians.

Then the need of a businesslike credit system was recognized and a lump-sum appropriation of \$10,000,000 was authorized. The land-purchase authorization was \$2,000,000 each year. The \$10,000,000 revolving credit fund was not to be a recurrent appropriation.

The act required that Indians who were going to take advantage of this credit fund should organize locally. The language of the act is that they should organize into corporations. It really means, with respect to financial credit, credit associations quite comparable to those which we have under the farm-credit system. The loan would be extended to the individual through the local corporation or credit association. At the same time it was recognized that one bad shortcoming of our Indian Service in the past had been that we had no provision for giving Indians first-rate trade or professional or technical educations.

The act authorized a quarter of a million dollar fund annually to be used as a loan fund to enable ambitious Indian boys and girls to go through colleges, trade schools, medical schools, and technical schools.

LOCAL ORGANIZING OF THE INDIAN UNDER THIS ACT

I may say that the act went a certain distance toward revising another traditional policy. The old policy, until last year, was to discourage the Indians from organizing locally. In general, the tribal systems were broken up, and the Indian, not possessing the right of contract, could not organize in any modern way, so he was disorganized in the old way and unable to organize in a modern civic or business fashion.

The Wheeler-Howard Act recognizes that the Indians need to organize and that they should organize for mutual aid, and for a certain amount of home rule where they are living in homogeneous communities, and for business operations.

The Indian group which organizes receives a charter from the Secretary of the Interior, and, having issued the charter, thereafter the Secretary cannot arbitrarily take it away or modify it. A certain amount of stability is thus made possible for the organizations. Congress can revoke the charters or the Indians themselves can give up their organizations, but the Secretary or Commissioner cannot just knock them out.

The sum of \$250,000 a year is authorized in the act to be spent for the costs of organizing Indian tribes and corporations.

The \$250,000 is to be used for the work of assisting them to organize. It includes a cost they, themselves, will incur in the process of organizing. For example, a tribe may need a lawyer who will help them organize their complicated business undertakings, and he will be paid out of this organizing fund.

GOVERNMENT WARDSHIP OF THE INDIANS

The idea has been, heretofore, that everything that happened on an Indian reservation happened as the result of something that some Government employee did. In other words, we paid for everything. All sorts of things that in our ordinary life a fellow does for himself or his family or that his own organization does for him the Government did for the Indians through direct employment, usually, of white people. That is best illustrated in the field of the Health Service, as an example. We have been going ahead on the idea that the entire health service to the Indians, including all the medical, clinical, and hospital service, should be provided by the Government gratuitously. We have recognized that there is not any probability of getting enough gratuitous money to do it adequately, but we still have gone ahead on the notion that if we did not do it that way, we could not do it at all; either the Government had to pay the whole bill or there would not be any medical service, and we have educated the Indians into that view of the thing.

The same way with education. They are untaxed and get their education without pay at the same time. And the same way with every other conceivable service—burial, the little things of community sanitation, the work a justice of the peace would do in a white community. Through and through, the notion has been free service by a very large corps of employed people heading up here in the Washington office.

Now, we realize that unless that tradition can be broken down we never are going to get anywhere with the Indians.

Mr. TAYLOR. That will be a perpetual dole forever.

Mr. COLLIER. Yes.

Mr. Speaker, the drive against the Wheeler-Howard Act seems to be purely an effort to put Indian affairs back where they were 2 years ago, which was as follows:

First. Indian landholding had shrunk from 137,000,000 of good acres to 47,000,000 of poor acres since the year 1887. This shrinkage has been due to the Government's own actions under the allotment system. It was mathematically sure to go forward until all the lands were lost. This same land system of forced land allotment had pushed the Indians

across into idleness and an almost universal dependence on a dole which was meager or nonexistent.

Second. At the same time the tribes were without the right to organize, whether for political or economic purposes. Indian Bureau autocracy was complete and was subject to no court review. The Indian Commissioner was a monarch, essentially absolute.

Third. The Indians were denied access to financial credit, and this fact, coupled with the denial of their right to organize, resulted in forcing them to lease to white people the use of their grazing lands, their irrigated lands, and so forth, and to let white people cut their timber.

The system was one of cold-blooded exploitation under forms of law. While most of the Indian property had already been legally looted, there remained a value of hundreds of millions not yet seized from the Indians.

What changes did the Wheeler-Howard Act make? Let us summarize:

First. It extended the trust period on all Indian lands, and thereby put a stop to the alienations to whites.

Second. It declared a policy of acquiring new lands for the Indians, which new lands should be held by the Government for Indian use and never should be allotted to individual Indians or alienated to whites. Two million dollars a year was authorized for buying these lands.

Third. Financial credit was instituted to enable the Indians to go into the stock business, into the business of merchandising their own products, into irrigation and dry farming, and into enterprises of cutting and remanufacturing their own timber. A \$10,000,000 revolving loan fund was authorized.

Fourth. The Indians were given authority to organize as tribes, and when so organized they were given a definite, although modest, amount of power over their own collective affairs. Once a tribe should organize, the Indian Office could not disband the organization or force any change upon it.

Going further, the Wheeler-Howard Act authorized the Indians to form themselves into business corporations for purposes of landholding and land use, cooperative buying and selling, and cooperative administration of credit. The revolving loan fund was made available to the Indians through the medium of these tribal corporations. Indian tribal funds, under the Wheeler-Howard Act, could no longer be spent except with the consent of the Indian owners. In the past 30 years more than \$100,000,000 of Indian trust funds have been wrongfully diverted into Indian Bureau pay rolls.

Fifth. Going further, the Wheeler-Howard Act declared that Indians should have preference for all jobs in the Indian Service. Civil service restrictions were lifted so far as they concerned Indian applicants for employment. A counter-drive against the act from some of the approximately 5,000 white employees was to be anticipated.

Sixth. The right of Indians to advanced education, technical and professional, was declared by the act, and \$250,000 a year was authorized for scholarship loans for this purpose.

Seventh. The act made it mandatory upon the Secretary of the Interior to enforce perpetual yield in Indian forests, range control on Indian range lands, and all other practices necessary to save the soil.

From the above, it is clear that the act was exclusively one of extending new benefits and protections to the Indians; and, in fact, it contained no feature involving compulsion upon the Indians other than the requirement of perpetual-yield administration for forests and of soil-conservation practice upon the ranges.

Nevertheless, the act extended to the Indians the unprecedented privilege of themselves deciding, tribe by tribe, whether they want to live under it or not. Referendums, as directed in the act, have been held on 116 reservations, with 116,000 Indians living on them, and the yes vote has been about 73 percent of the total vote cast. The turn-out of the voters has been almost exactly equal to that which is usual among whites at Presidential elections; namely, 53 percent of the total eligible vote. The Indian vote has run far ahead

of white referendum votes, which generally are smaller than the votes upon contests between persons. Eighty-five tribes have cast absolute majorities for the Wheeler-Howard Act. A table with corroborating figures is here shown.

Total eligibles among 117 tribes, bands, pueblos, etc., which have voted up to and including Dec. 31, 1934.....	58,852
Total votes cast.....	31,215
Or 53.04+ percent of the eligibles.	
Total votes cast for.....	22,772
Or 72.95+ percent of the votes cast.	
Or 38.69+ percent of the eligibles.	
Total votes cast against.....	8,443
Or 27.04+ percent of the votes cast.	
Or 14.34 percent of the eligibles.	

	Voting population	Yes	No
Where a majority of votes were cast in favor of the legislation.....	52,055	21,417	5,380
Where a majority of votes were cast in opposition of the legislation.....	2,742	477	1,652
Where a majority of votes cast were against the legislation, but not sufficient to exclude themselves:			
Including Fort Apache, which is to vote again.....	4,055	878	1,411
Excluding Fort Apache, the figures are.....	2,715	606	1,010

Absolute majority, for.....	85
Absolute majority, against.....	14
Majority of eligibles against but not sufficient to exclude themselves under Solicitor's opinion (including Fort Apache, which is to vote again).....	17

116

In the face of these facts, assertions are persistently made that the Indians do not want the act, that the Indians do not want more land, do not want credit, do not want the right to organize, do not want preference for Government jobs, do not want scholarship loans, do not want the right to veto improper use of their own trust moneys.

The drive was apparently first concentrated against the House Appropriation Committee with the object of cutting out appropriations authorized under the Wheeler-Howard Act, and thus leaving the act unimplemented and sterile. The drive was partially successful, because the Budget estimate of \$1,000,000 for land purchase was cut to \$500,000; the Budget estimate of \$5,000,000 for Indian credit was cut to \$2,500,000; and the Budget estimate of \$250,000 for the costs of organizing the tribal political and corporate organizations was cut to \$100,000. It is this last slash which has most seriously jeopardized the Wheeler-Howard reforms, because the fundamental concept of the new policy is that the Indians shall organize to take over the control of their own collective destinies, and that the Bureau shall no longer be czar over the Indians; but if the wherewithal for effecting organization is denied, then organization must proceed slowly indeed.

The Indians, by and large, mind you, are economically the poorest class in the whole United States. And wherever Indians are located, they are envied by predatory interests which do not want them to stand on their own feet, and which do intend to exploit or seize their properties.

Therefore it should at once be apparent that this administration, which wants to help them to organize, must be supplied with the financial means to carry out the task. The modest authorization of \$250,000 was granted in full by the Budget, but, as stated above, it has been cut to \$100,000 by the Appropriation Committee. The Senate may still remedy, in part, this ill-considered action, and the House may have the opportunity of approving a more liberal conference report. It is to be hoped that after the appropriation bill is out of the way, the drive against the Wheeler-Howard Act will not swing back into the general legislative channels, and that no attempt to dismember the act will be made.

As a part of my remarks, Mr. Speaker, because of the importance of the issues therein aired and discussed, I attach a verbatim copy of a memorial addressed to the President of the United States and Congress by the so-called "American Indian Federation", together with the Commissioner's statement given to the House Committee on Indian Affairs in reply to allegations contained in the memorial.

LXXIX—308

National officers: Joseph Bruner, president, Sapulpa, Okla.; J. C. Morgan, first vice president, Farmington, N. Mex.; George Whirlwind Soldier, second vice president, Parmalee, S. Dak.; W. W. LeFlore, secretary, Bennington, Okla.; Winslow Courre, treasurer, San Jacinto, Calif.; Floyd O. Burnett, chaplain, Riverside, Calif.

District presidents: District no. 1, Adam Castillo, San Jacinto, Calif.; district no. 2, Levi Walker, Beatty, Oreg.; district no. 3, Louis Valendra, Parmalee, S. Dak.; district no. 4, Cato Sells, Shiprock, N. Mex.; district no. 5, Delos K. Lone Wolf, Mountain View, Okla.; district no. 6, Alice Lee Jamison, 91 Cottage St., Buffalo, N. Y.; district no. 7, Joseph Brooks, Pembroke, N. C.

ONWARD TO GREATER THINGS

THE AMERICAN INDIAN FEDERATION,
Sapulpa, Okla., December 21, 1934.

A memorial by American Indians to Hon. Franklin D. Roosevelt, the President, and to the Congress of the United States

On behalf of the American Indian, the American Indian Federation, duly organized on August 27 in the city of Gallup, N. Mex., by leading Indians, subject to the jurisdiction of the Bureau of Indian Affairs, presents this memorial for your earnest consideration.

Having been granted unqualified American citizenship in 1924, we beg to emphasize that we should be considered and treated in accordance with that part of the immortal Declaration of Independence reading:

"We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."

Until 1871, the American Indian, existing under various tribal organizations, was treated as "separate nations", with whom the American Government had made some 370 treaties.

Congress, in 1871, passed an act abolishing further recognition of Indian tribes as independent nations, with whom the United States would make treaties, but not annulling these 370 already made.

From 1871 until our grant of citizenship in 1924 the American Indian was held as a political prisoner or, as the United States Supreme Court has defined the status, as "political wards"—his person under the immediate jurisdiction of the Bureau of Indian Affairs and subject in all personal relations to the arbitrary rules and regulations of said Bureau.

Since our grant of citizenship in 1924 we have been led to believe, and have hoped, that the Bureau of Indian Affairs would grant us our personal freedom and that the American Indian at last would "be recognized as an American citizen, treated as such, educated as such."

Until the present administration no official of said Bureau has ever publicly questioned our rights as American citizens; but now Commissioner Collier has publicly repudiated the act by Congress in granting us citizenship.

In an article by Commissioner Collier, appearing in the magazine section of the New York Times, issue of May 6, 1934, the Commissioner writes:

"The Indians are citizens of the United States, made so by a special act of Congress passed in 1924, as a gesture for their services to the Nation in the World War. Notwithstanding, Indians having the status of Government wards today—that is, two-thirds of the total population—cannot make contracts, cannot borrow money, cannot hire a lawyer, or get their own money into their hands without the permission from a special Government bureau, the Office of Indian Affairs."

Again, notwithstanding the intent of both Congress and the Bureau for the past 50 years that the existence of the Bureau was for the purpose of "educating and making citizens of the Indian", we are confronted by another present Bureau official, as quoted from the New York Herald Tribune of November 9, 1934, as follows:

"The Government has given up trying to make the red man into a 'white' man and has decided that his best future lies in being allowed to 'be himself.' The new Indian policy of the new deal is to encourage the native arts, crafts, poetry, self-government, culture and even religion of the Indian, and to allow him to live his own life in his own way; at the same time giving him modern sanitation and other beneficial features of white civilization. This was the outline presented by Ward Shepard, of the Bureau of Indian Affairs, to leading scientists of Washington, in a lecture at the Cosmos Club."

Later, from the same article, this Mr. Shepard, of the Indian Bureau, is quoted as follows:

"The efforts to civilize the Indian according to white standards was doomed to failure from the start, because it was an attempt to transplant a people still in the stone age into the high-powered industrial democracy of modern America."

(The history of the great Indian leaders, when the American Indian was a free man, clearly makes this "stone age" reference a gratuitous, official affront to the intelligence of the American Indian.)

To the foregoing we state as fact: That under Commissioner Collier the Indians have been denied freedom of speech and free assembly; Indians opposing the policy of the Bureau have been subject to vindictive treatment; the personal rights of the Indian as guaranteed to American citizens under our Constitution have been completely ignored and, in fact, by Commissioner Collier denied to exist; the policy of the education of the Indian continues in Bureau, not public schools; and to fully establish the intent

of the present Commissioner to segregate the Indian, keep him an Indian, not an American citizen; to cut him off from the greatest education for citizenry, namely, personal contact with American life—we cite the bill which the Bureau forced through at the very close of the last session of Congress.

This bill was a sequel to the notorious Wheeler-Howard bill, which contained 52 pages, and as passed and approved as of June 18, 1934, contains five printed pages. It was forced through under the misrepresentation of having the approval of the Indians and was an "administration" bill.

While said law contains some clauses of value to the Indian, its main intent and purpose and wherein it repudiates the said 50 years' intent of both Congress and all previous bureaus, and wherein its result must be a perpetuation of this Bureau and its rule over the daily lives of the Indian, is to be found in its section 18 and its section 17.

Section 18 provides for an "election" conducted by the Bureau, by the Bureau-ridden and Bureau-controlled Indians, to approve or disapprove the bill by majority vote of the adult Indians in each tribe. "Approval" means consent, for the first time in history, by the Indian tribes to Bureau jurisdiction and rule; this means the limitation of personal rights under citizenship—such "election" with voters from a subject people, with no knowledge of its consequences, can only be likened to the "free" elections under the dictator Hitler.

Section 17 provides that after the "approval election" another adult majority "election" is held by the Bureau to permit the Bureau to issue a tribe a charter to form an Indian community performing all the activities of an American community, except it contains only Indians, and all the powers of such community will be defined by the Bureau in its ultralegal role of dispenser of Russian communistic life in the United States.

Never before in the history of this Bureau has such a momentous change in the conduct of Indian affairs been proposed, and hence, on such fact alone, had no honest intent when forced through Congress in the critical period of our country's affairs which led every Congressman to believe that an administrative measure was one of dire necessity, excusing all haste in its enactment.

Therefore we charge that Commissioner Collier has, and is, with deliberate intent and contrary to the desires of the American people, who desire justice done to the American Indian, seeking to frustrate the opportunity of the Indian to enter American life as a citizen and, instead, is perpetuating an iniquitous, un-American Bureau and forcing a subdued, Bureau-controlled (a subject) people into a segregated serfdom, continued to be ruled by the dictatorship of a Government Bureau which has held the American Indian in chains since 1871.

We charge that the official record of Commissioner Collier establishes him as wholly unfit by temperament and honest principles, as well as officially using the mighty power of his office, to continue the American Indian under a greater serfdom than he has endured since 1871, and in so doing has maliciously and flagrantly ignored the rights given the Indian by virtue of the greatest gift the American Government can bestow—citizenship.

Whereas the universal practice of the courts of the country is that of permitting a minor even of 14 years of age to choose its own guardian: Therefore we submit that the American Indian should be given the right to approve the Commissioner of Indian Affairs, who exercises such arbitrary power over his person and his property.

To the end that the American Indian may obtain at least fair play, we demand the removal of John Collier as Commissioner of Indian Affairs, and the removal of his official appointees, none of whom, before appointment, had any practical knowledge of the American Indian nor of Indian affairs.

We urge the appointment of a man who knows Indian affairs and will reorganize the Bureau on lines in keeping with the personal rights now due the American Indian as an American citizen.

We further offer for consideration by Congress and a trustworthy Commissioner, as a working basis for fundamental relief for the American Indian, the following outline of plan:

1. Free the Indian at once from Bureau wardship of his person.
2. Each State—through its already established channels, under which and in the same manner they now treat their other citizens, but the Indian—to educate, to guard health, to police, and to open all its established courts to the Indian. Congressional appropriations from Indian funds where treaties provide, or from taxes now voted annually to the Bureau (and more if needed), to go to the State to cover all cost of foregoing. In cases of emergency the Red Cross should be given all power, free from Bureau control, to immediately take charge of the Indian health and life situation.
3. Begin at once with competent heads to untangle the Indian property mess existing in the Bureau, with the view of creating, legally, active trusteeships, subject to court review, of this property, including tribal funds, preferably creating a separate trust for each reservation and tribal fund. These trusts should be created on same fundamental legal basis as other innumerable trusts which now hold property all over the United States.

At no time, of course, during the above program is the Indian to be inequitably disturbed in the rights, occupancy, and use of any Indian property now by him possessed.

Dated and signed this 21st day of December, A. D. 1934, at the office of the American Indian Federation in Sapulpa, Okla.

Respectfully submitted.

JOSEPH BRUNER,
President the American Indian Federation.

Attest:

W. W. LEFLORE, Secretary.

Commissioner Collier testified on February 6, 1935, to the committee as follows:

A "memorial" has been filed with your committee, signed by Joseph Bruner as president of the American Indian Federation. For some time Mr. Bruner and his associates have been addressing the President, have been interviewing Members of Congress, and have been seeking press publicity. As their organization practically is a fake organization, and their allegations are unspecific and self-contradictory, I have not paid attention to them heretofore.

I am glad that the "memorial" has been laid before your committee and has been dignified by a committee hearing, because an occasion is thus provided to deal once and finally with the organization and its allegations.

I have stated that practically the so-called "American Indian Federation" is a fake organization. Its spokesmen purport and pretend to speak for and represent the American Indians. Yet the president, Mr. Bruner, holds no delegation of authority even from his own tribe. The vice president, Mr. Morgan, is in Washington without authority from his own tribe. (See the appended telegram.) The Sioux representatives, Mr. Whirlwind Soldier and Mr. Louis Valandra, have not been empowered by any branch of the Sioux Tribe to represent it in this federation. Mr. Joseph Brooks, who appears on the letterhead as president of the seventh district, has not been empowered by any tribe to act as a member of this federation, nor has he authorized the use of his name.

There are about 340,000 Indians, in 180 tribes, located in 222 Indian Service jurisdictions. The tribes, almost universally, are organized into tribal councils or other stable organizations, which speak with authority for the tribes which have empowered them. I assert that, with the exception of tribes totaling fewer than 3,000 individuals—all in southern California—no one among the 180 Indian tribes has authorized the American Indian Federation to speak for it or has placed representation upon the letterhead of this so-called "federation." The American Indian Federation, therefore, consists of certain men who have a bona fide authorization from a majority of the members of certain of the Mission Indian Bands of southern California, and with these men are associated a few individual Indians in other parts of the country and certain white men. A body thus constituted has, of course, just as much right to prefer charges and to make recommendations as it would have if it veritably represented the Indians, but it should not pretend to be that which it so clearly is not.

With respect to the Mission Indian Federation, which is the only element supplying substance to the so-called "American Indian Federation," I merely call your committee's attention to the memorandum concerning that southern California Indian organization which I supplied to the House Indian Committee last spring, and which is printed in the hearings on the Wheeler-Howard bill, page 272. The men representing the Mission Indian Federation are in Washington this year, as last year, seeking legislation which would entitle various lawyers to receive large payments, for services of no measurable value, out of the forthcoming award by the Court of Claims to the Indians of California.

Mr. Bruner, president of the American Indian Federation, has heretofore designated himself as principal chief of the Creek Nation. This was a false designation, and at the tribal election of the Creek Nation held September 14, last, Mr. Bruner was not even among the candidates who trailed at the election. At the Muskogee office of the Five Tribes Agency, from time to time the superintendent posts the names of Indians living in outlying districts to whom payments of money are due. The Indians need merely to come or to send for the money and it is theirs. There are some men, Indian and white, who make note of the names thus posted and then go out and see these Indians and undertake to collect the money for them on a profit-sharing or contingent basis. The "racket" is a petty one, and is mentioned here only to make intelligible a letter bearing Joseph Bruner's signature, dated October 25, 1933, addressed to Mr. Scott Cochran, 913 East Fifth Place, Tulsa, Okla., and reading as follows:

"Under date of September 7, you executed a contract with me and Etc., for 50-50 recovery of the fund which was in Department. Mr. Albert Bigpond advise me that you have already got your check. I wish you write an explained to me why you dont pay us our part of the recovery. And the amount you got by return mail.

"Sincerely yours,

"JOSEPH BRUNER (Signed)"

I now deal briefly with the "memorial" signed by Mr. Bruner. The errors of statement are recklessly complete. They seem to grow in part out of an apparently incurable confusion of mind, especially in regard to the enactment of the so-called Wheeler-Howard, or Indian reorganization act, approved June 18 last.

That important measure, of which I was not the author, was reported by the House Indian Committee without a dissenting minority report and by the Senate Indian Committee without dissent, was passed by Congress, and was made law through Presidential signature. It is an enormously beneficial piece of legislation, for which I would be glad to assume the responsibility if the facts justified such an assumption.

Endeavoring to find specific charges of a meaningful nature in the "memorial," I cite on page 2 the following: "Commissioner Collier has publicly repudiated the act by Congress granting us citizenship." The statement is totally incorrect, as the "memorial's" own quotation shows. The alleged "repudiation" consisted in a description of the facts of Indian law as they were on

May 6, 1934. The handicaps upon the freedom of Indians, described in my statement, were among the handicaps which I was seeking to persuade Congress to remove. And Congress did remove a portion of these handicaps by the enactment of the Wheeler-Howard Act.

On page 3 of the "memorial" it is stated: "Under Commissioner Collier the Indians have been denied freedom of speech and free assembly, Indians opposing the policy of the Bureau have been subjected to vindictive treatment", and more on the same line. No specifications are given, nor can they be. The allegation is wholly false.

On page 4 in the "memorial", after proposing that I, as Commissioner, be removed from office, the "memorial" demands further "the removal of his (Collier's) official appointees, none of whom, before appointment, had any practical knowledge of the American Indian nor Indian affairs." Again there is no specification and the statement is merely wild. The appointments recommended by me and made by the Secretary of the Interior have been, in the main, appointments of Indians to positions in the Service. We have enormously increased the proportion of Indians to whites in the Indian Service. Details are given in a departmental release which I append to this letter.

The Federation states, page 3, that my policy for Indians is "not public schools." My policy and the Department's is the exact opposite; and in the current fiscal year the Indian Service is spending \$1,370,000 for public-school tuition for Indians and for food, clothing, and books for Indians in public schools.

The "memorial" attacks section 18 of the Wheeler-Howard Act. Section 18 requires that the act be submitted to referendum of the Indians on all reservations except in Oklahoma. These referenda have been held on reservations totaling approximately 100,000 Indians and 58,852 eligible voters. Of the total Indian vote cast, 72.95 percent has favored the Wheeler-Howard Act. The percentage of the eligible voters who actually have voted has been approximately that which is cast in Presidential elections, and much higher than that which is cast in referendum elections among whites. The "yes" vote has been 72.95 percent of the total vote, as compared, for example, with the "yes" vote of 57.3 percent of the total vote, which was the percentage cast for Mr. Roosevelt in the whole country in the Presidential election of 1932.

Section 18 of the Wheeler-Howard Act was inserted by the House Indian Committee and was enacted by Congress. The federation's quarrel, therefore, is with Congress and not with the Indian Commissioner. And under section 18 the Indians overwhelmingly have voted that they do want the protections and advantages of the Wheeler-Howard Act. The federation's quarrel, therefore, is with the Indians and not with the Indian Commissioner.

The privilege extended to Indian tribes by Congress through section 18 is a most unusual right. For the first time in any Federal legislation the referendum has been made applicable to a public law. Congress went even farther. It made a public law subject to a referendum by a special class of the general population. It did not give the white population affected by the law a chance to vote for or against its acceptance. It restricted this privilege solely to the Indian.

It should be understood that the Indian Reorganization Act came into force and became immediately applicable everywhere on June 18, 1934. Through section 18 Congress extended to all Indian tribes, except those in Oklahoma, the privilege of voting themselves out of the application of the act. Congress qualified this rare and unusual privilege, never bestowed on any other part of the general population, with the provision that a majority of all the adult voters must vote affirmatively to exclude the tribe. Considering the extraordinary nature of the referendum privilege, considering further the size and importance of the benefits conferred upon the Indians by the act, Congress, and especially the House committee, acted wisely, I believe, in requiring that these benefits be not denied any tribe or its individual members except through the positive action of a majority of all adult members.

The referendum elections have been conducted in the letter and the spirit of the law; undoubtedly there have been minor disputes about the right to vote, etc., on various reservations, but nowhere could the resolution of these minor disputes have changed the result. Nor were these disputes more numerous or serious than at the average white election.

I have found no other statements in the "memorial" which are definite enough to permit comment or rebuttal. It may, however, be useful to point out the unstated, underlying misconception or confusion of ideas, which is the result of the evident domination over the federation's thinking by Mr. Joseph W. Latimer, now or formerly of Brooklyn, N. Y., and Mr. Bruner, of Muskogee.

The American Indian has been subjected for generations to a body of law which vested in the Executive an intolerable amount of discretion over Indian property and person, and which subjected the Indian to bureaucratic interferences and paralyzed his initiative, particularly in those areas where land allotment was forced on the tribes. I became Indian Commissioner on a definite and detailed platform, which called for the modification of this archaic, un-American, and highly inefficient and financially wasteful body of Indian law.

The Wheeler-Howard bill, as submitted to Congress by the administration, proposed that the Indian Commissioner and the Secretary of the Interior be divested of a great number of their arbitrary discretions. In local and domestic matters the tribes were given home rule; to insure due process of law various au-

thorities were shifted from the executive to the Federal courts; The Indian Service employees were subjected to criticism and control by the Indians; even the expenditures of public money on the reservations were subjected to Indian veto.

But the guardianship by the United States over Indian property was preserved and, broadly speaking, was made permanent; and a program of land acquisition was set up, designed to revest the Indians with adequate lands which had been taken from them by previous blunders and wrongs.

This original Wheeler-Howard bill met with vigorous, even violent, opposition from Joseph Bruner, Joseph Latimer, and some others. The House and Senate Indian Committees—particularly the Senate Indian Committee—took the view that the bill went too far in divesting the executive of discretion and too far in the direction of permitting home rule among Indians. It was viewed as being too radical and sudden a measure in the direction of Indian emancipation from governmental control.

However, the really determined opposition to the measure came from those interests which did not want the remaining Indian lands protected, which did not want the Indian ranges withdrawn from white use and restored to Indian use, which did not want the policy of conservation and of Indian operation to be drastically applied to Indian forests, and which did not want Indian trust funds safeguarded.

After a prolonged struggle, as the older members of this committee will remember, a new bill was drafted by the House committee, and a new bill by the Senate committee, and these were harmonized in conference, and the so-called "Wheeler-Howard Act" became law.

This new law includes many, but not all, of the elements of the original Wheeler-Howard bill. It goes far toward permitting local home rule to the Indians; it protects the Indian lands, and provides for the acquisition of new lands for the Indians; it establishes a credit system for Indians; it gives to Indians a legal preference to employment in the Indian Service; it provides for the higher education of ambitious Indians; it requires the application of modern principles of conservation to the Indian lands and forests. It is an epoch-making bill in the right direction.

But this new enactment has not completed the needed legislative program. The Indian Commissioner and the Secretary of the Interior continue to be, in spite of the new act, vested with an undesirable amount and variety of discretion—discretion which practically is unreviewable by the courts. The prompt and just settlement of Indian tribal claims against the Government awaits future legislation; the definition and extension of the jurisdiction of Federal courts over Indians is still awaiting action by Congress. All of this legislation, if it is to help and not to injure the Indians, must preserve the Federal responsibility for Indian welfare and must continue the trusteeship of the Government over Indian capital assets.

The above statement will have made clear the irrelevancy and, in addition, the almost complete distortion of realities, which appear in the federation's memorial. These men, who are pretending to fight for the emancipation of the Indian, inconsistently attack the Indian Commissioner for promoting the legislation which has partly emancipated the Indian and for promoting other, as yet unenacted, legislation which would further emancipate the Indian. The trouble is that the Commissioner is also striving to preserve and, in some particulars, to reestablish the protections which safeguard Indian lands and funds against the onslaught of white exploiters.

These men cannot, naturally, state the real aim of some of them, which is that the restrictions preventing the transfer of Indian property to whites and its seizure by whites shall be done away with.

Again, they cannot state the real aim of some of them, which is that certain attorneys, who have rendered no service and cannot render assistance of measurable value, shall be allowed to share largely in the forthcoming money to be awarded by the Court of Claims to the California Indians.

It may be that this fundamental impossibility of making a forthright statement of what it is that they do want is the explanation of the seeming mental confusion of the sponsors of the memorial. The things they want, I suggest, are not the things they are talking about.

To conclude, then, the factual record seems inescapably to point to a drive by selfish groups which seeks to nullify the reforms that the Wheeler-Howard Act instituted. They have accomplished part of their purpose. We may reasonably suppose they will continue with renewed vigor. This composite recital of factual information from various official records and sources should put Members of Congress and interested private citizens on notice.

Incidentally, it should shame those who launch intemperate and senile attacks at a far-seeing and courageous public servant who is carrying out the true purpose of an act which bears the name of two noble Members of Congress and which was gladly and hopefully approved by the President of the United States.

Mr. Speaker, it seems unbelievable that Congress, having taken this eventful forward step, will recede because of this illegitimate lobby and its apparently well-organized resistance to the provisions of the Wheeler-Howard Act.

PERMISSION TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes following the gentleman from Massachusetts. I wish to speak on the work-relief program.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CONNERY. Mr. Speaker, I have great admiration and a friendship of many years for the distinguished leader of the Republican side, the gentleman from New York [Mr. SNELL]. I was greatly surprised yesterday, therefore, knowing him as well as I do, to hear his reference to the President of the United States. Many discussions have taken place on this floor during the past 10 or 12 years in which Members of both the Democratic side and the Republican side joined in statements to the effect that the duties of the Presidency of the United States are extremely onerous. Even at times legislation has been suggested that something be done to lighten the burdens of the President. I am sure we all understand the terrible strain that goes with the position of Chief Executive, with all the problems and trials which he must face. No one should begrudge the President the brief vacation which he is taking and which is so vital to keep him fit for the duties of the Presidency. So I was greatly shocked to hear those remarks of the gentleman from New York, the Republican leader, yesterday.

I believe I am speaking the sentiments of the majority of the Members of this House, both Democrats and Republicans, when I state that we are happy that the President of the United States has such great and good sense that he will go away for a short respite from the terrific duties which devolve upon him. And I know that I speak the minds of every member of the Democratic majority in this House in congratulating President Franklin D. Roosevelt upon his present good health and extraordinary good humor, and wishing him many more fishing trips, so that when he is reelected next year he will be in such splendid physical condition that he may continue in the next 4 years to render to the American people the wonderful service which he has rendered as President for these past 3 years. [Applause.]

The SPEAKER. The gentleman from Indiana [Mr. GRAY] is recognized for 3 minutes under the previous order of the House.

Mr. GRAY of Indiana. Mr. Speaker, it is an old saying that a wise man profits by the mistakes of others but a fool fails to learn from his own and repeats his errors and mistakes over and over again through life.

The public-works relief plan, appropriating large sums of money to restore private employment, has been tested and tried out by other nations as well as our own and wherever tried has failed to relieve from unemployment.

The public-works relief plan has been tried out in Australia, failed to restore private employment, and has been abandoned as a false relief measure. The public-works relief program for the relief of unemployment has been tested and tried out in France, at great cost, but has failed as a remedy and has been abandoned. The public-works relief program as a means to restore private employment has been tried out in England and Ireland, at great expenditure of public funds, but has likewise failed of relief and has been abandoned as a measure for the relief of private employment.

The same public-works relief plan in the name and style of a public building program was widely heralded and declared as a means to restore employment during the closing years of the Hoover administration. But the plan failed of its object and purpose and was repudiated by the people as a false relief measure at the polls. It was this same works-relief program that was reorganized and revamped for further experiment during the first 2 years of this administration, at a cost of multiplied millions, without results, and

leaving a larger number unemployed and more people on the relief rolls than before the expenditure of the money.

In the face of the failures of these experiments conducted in other countries at great cost and expenditure of money, without benefit or substantial relief, and in the face of like experiments conducted here in our own country during the last 4 years with like results, a further continuation of these expenditures to be made from borrowed money funded in interest-bearing bonds, with more unemployed and more on the relief rolls, will not only bar us from the claim of being prudent and wise men but will confirm us in the class known as the foolish and unobserving.

It is plain to be realized at this time that a further expenditure of money to carry out the work-relief plan will not be getting us out of the panic but only deeper in debt and, in the light of experience of our own and other countries, will be a course of criminal folly.

It is only necessary to read from the reports of the League of Nations, conducting an economic inquiry among the countries regarding the work-relief plan, to realize the failure and futility of these measures tried out by other nations as a remedy for unemployment. It is not necessary to prove the failure of the work-relief program tried out here under Hoover and former administrations. The chaotic conditions which increased following the Hoover experiments and our own are still fresh in the minds of the people.

The following is from the national public-works inquiry conducted by the League of Nations and taken from the report of France, giving the results of the public-works experiment as a remedy for unemployment in that country, appearing at page 155 and published February 23, 1935:

These figures show that important public works can only be regarded as a palliative and a temporary palliative for unemployment.

From the same inquiry conducted and from the same answers in France, the following, from page 157 and page 158, appears:

It may be seen from the above table (1) that other electrical installations have also for the most part been completed, and no improvement in the economic situation can be expected from its continuance.

The following is from the National Public Works Inquiry conducted by the League of Nations, section 6, page 82, published February 23, 1935, quoting from the answer of Great Britain and Ireland:

Public works are a part of the normal activity of the state and of local public authorities, and they are continuing and will continue subject to the test of their value to the community.

But the experiment of large-scale public works as a method of dealing with unemployment has been tried and has failed and it is not intended to repeat it.

The following is from the address of Walter Runciman, British Cabinet member, explaining the works-relief plan before the World Economic Conference held in London in 1933:

You will observe this method of dealing with the problem is expensive—in our view, unduly expensive—and an experiment that we are not going to repeat.

We terminated our schemes for dealing with the unemployed by capital expenditures on public works and we shall not reopen them no matter what is done elsewhere.

With the experience of the last few years we have come to the conclusion that whether in our own country or elsewhere, schemes of this kind of international public works are the most unremunerative way of dealing with the unemployment problem.

The following is from the National City Bank letter of February 1935 at page 25, commenting upon the report of the public-works experiment made both in this and foreign countries for the relief of unemployment:

Other governments have found that an increase of expenditures did not bring compensating gains.

This country's experience in the past year has furnished much evidence to the same effect.

The spending agencies have been acting practically to their administrative capacity, but the showing of increased employment attributable to their activities has not been impressive and the number of persons on the relief rolls has been largely increased.

It is remarkably inconsistent and contradictory and in disregard of the lessons of experience, in the course and policy

of nations, that at the very time other countries which had tested and tried out the public-works relief plan and were abandoning the program as a failure to restore employment and were resorting to the currency relief measures, in manner and form as provided here, to restore the depleted money supply and were entering upon an era of relief and returning prosperity, this Nation was evading and abandoning the same currency relief program and which at the time was bringing prosperity to other nations and was going back to the works-relief program which other nations had tried out and found a failure and abandoned.

England, Sweden, Australia, and Argentina, as well as other nations of Europe, after abandoning the works-relief program which have made noticeable progress in recovery, have followed the one simple course of expanding currency and credit, and making the same available in circulation, which this Nation has abandoned after preparing and providing the measures for the same monetary relief here. Wherever currency measures have been enacted and administered, business has increased, unemployment has decreased, relief demands have lessened, and recovery is making progress without burdens to the taxpayers.

Dr. Gordon Wood, a high public official of Melbourne, Australia, where prosperity has been fast returning by restoring money and credit in circulation, has this to say of our country today:

There is little doubt that deflation (contraction of money) in this country (United States) was grossly excessive and that it can be controlled by controlled reflation (meaning the expansion of money).

After resorting to the currency relief measures, in like form as provided here but not enforced and carried into effect, John Maynard Keynes, a British economist, in giving expression to the relief which was being realized in England from the operations of the currency relief measures, said:

Out of the ashes the city of London will rise with undiminished honor.

No wonder that we feel some exuberance at the relief, that stock-exchange prices soar, and that the dry bones of industry are stirred.

We gain these advantages without a cut of wages and without industrial strife.

The following is from the report of Sir Reginald McKenna, chairman of the board of directors of the Midland Bank of England:

It is now well recognized that an adequate supply of money is essential to sustained business activity.

Nothing in monetary practice is more certain than that contraction of the volume of money, or even failure to secure an adequate increase, tends both directly and indirectly to put a brake upon business of every kind, and to produce the very troubles—unemployment, unremunerative commodity prices, unbalanced budget, and general depression—which have been apparent in almost every country of the world in the past 4 years.

The advance here recorded in our monetary ideas is very remarkable, and not less remarkable is the advance in our practice.

The government policy of cheap and abundant money, primarily embarked upon for the special object of converting national debts to lower interest rates, has been in force constantly for nearly 2 years.

The trade of this country, by universal acknowledgment, has for many months been making steady and gratifying progress.

The following is from William Randolph Hearst, after making a survey of economic conditions in England during September 1934, and commenting upon the progress of recovery being realized in that country after abandoning the works-relief plan and resorting to the currency-relief measures:

I really have to give the English Government and the English people tremendous credit for an amazing recovery.

The result has justified the faith. Great Britain is much further on the road to recovery today than any other nation in Europe, much further than the United States.

In my opinion, the devaluation of the dollar has materially helped the situation in America. I think that most of the improvement in conditions is due to moderate inflation.

And these same advantages could be gained here in the United States of America under the currency-relief measures enacted and now held up to try out the works-relief plan, and without cost of a single dollar to the people.

On the new Congress convening March 4, 1933, and the President taking office, it was promptly considered and

agreed that the cause of the depression was the failure of the buying and consuming power. It was further agreed by Congress and the President that the failure had resulted from a fall of values and the price level which had destroyed or greatly reduced the earnings and income of the people. Upon this solution of the cause, it was the judgment of Congress, and agreed to by the President, that the remedy for the depression required a rise of values and the general price level to restore earnings and income and the buying and consuming power.

On further consideration of the problem it was agreed by Congress and the President that the fall of values and the price level had been caused or brought about by a failure of the money supply, a want of sufficient currency and credit; and that a restoration of the general price level for a return of earnings and income and the buying and consuming power required a restoration of money and credit, a sufficient volume and circulation to restore and maintain values and prices. Promptly and without hesitation, and in record time, steps were taken by Congress to replenish the money supply whereby to raise values and the price level, return earnings and income to the people, and restore their power to buy and consume the products of our industrial system.

On the 9th day of March 1933, only 5 days after the Members were sworn in, Congress authorized and the President approved the issuance of \$2,000,000,000 of currency and Federal Reserve notes with which to replenish the money supply which had been depleted and left insufficient. On the 17th day of March 1933, only 13 days after this Congress was sworn in, the great newspapers of the country announced the printing of this vast sum of money, with half-page illustrations picturing the Secretary of the Treasury and his attendants carrying great bundles of new money in preparation to meet the emergency of the failure of currency and credit. Following this prompt action, taken to restore the depleted money supply, Congress at once took up the consideration of special currency legislation, and on the 12th day of May 1933, only 2 months and 8 days after the inauguration, the farm-relief currency laws were passed.

These laws provide for four different forms of currency to be made immediately available whereby to restore the money supply—remonetization of silver, revaluation of gold, resort to Federal Reserve notes, and the issuance of United States currency notes, any one of which were ample and sufficient for which provided. On the special request of the President the currency relief measure enacted and so promptly and expeditiously provided were left permissive, discretionary, and optional to be administered and given effect when and in the order and in the manner to be determined by the Executive. Within 60 days from the time of convening the new Congress was ready and prepared to meet the currency crisis of the panic and to proceed in full agreement of the cause of the depression and the requirements for the remedy. This record of legislation achievements of the new Congress and administration, for the time being in which completed, the problem analyzed and solved, the measures in detail provided, challenged comparison in all history and inspired universal confidence in the people.

It is a remarkable illustration of psychology that on mere anticipation of restoring currency and credit, on belief that the currency relief measures would be carried into force and effect as promptly and expeditiously as enacted, values and the price level began to rise immediately with the enactment of the law. Farm products, stocks, and securities, and other commodities began to increase in value and business everywhere promptly showed revival. This price rise and revival continued until August, when it was realized that the law would not be carried into force and effect, that the new money provided for would not be put into circulation. Then values and the price level starting to rise, began to decline and fell to the level from which raised.

But the \$2,000,000,000 of new money, ordered printed by Congress in record-breaking time, was never put into circulation. The remonetization of silver was never entered upon. And neither the Federal Reserve notes nor the United States currency notes were ever issued or made available for use

as money in circulation. Even the revaluation of gold assumed to be administered and given effect was only briefly entered upon in a partial and temporary way and its operation carried to a certain stage was stopped and abandoned before restoring values and the price level and providing the relief intended. Up to this time there has been nothing done to carry out or give effect to the currency relief measures which were enacted to restore and stabilize the depleted and exhausted money supply and the laws remain on the statute books as a dead letter in relief program.

Instead of entering upon the administration of the currency relief measures, promptly and expeditiously enacted, the program has been held up and suspended to go back, take up, and revamp for further trial and experiment the relief measures already tried out under Hoover and former administrations and which had failed to bring the relief demanded by the people and by reason of which a change of administrations has been overwhelmingly voted at the polls.

In the face of the currency relief measures already enacted and ready for administration here and in the face of prosperity beginning following their enactment by Congress, prompted by faith and confidence, the belief that the measures would be carried out, and money and credit restored to circulation; in the face of the experience of the many nations of Europe trying out the works-relief measure and abandoning the experiments as a failure and resorting to currency relief measures alike already prepared for administration here, the currency relief program here so promptly and expeditiously provided was suddenly halted and abandoned to go back, revamp, and reorganize the work-relief program which had failed both here and abroad.

The cost of the different works administration provided for by interest-bearing bonds has already carried the national debt far into the billions and to a height beyond our World War debt. And in anticipation of its further rise the authorized public-debt limit has been raised by Congress to the staggering stage of forty-five billions.

The administration of artificial relief measures has swelled the army of Government and relief employees to over 25,000,000 up to this time, with 1 person to every 5 of the population on the Federal pay rolls drawing salaries and relief pay to be paid from taxes of the people. To this vast number of Federal employees must be added an ever-increasing number coming upon the pay rolls of the several States following the Federal Government with like measures or to try out separate State experimental remedies, all to be paid from taxes assessed and collected, directly and indirectly, from the meager incomes of the people. The army of employees already in service, with the army of men being recruited for recovery, and being paid and supported on the pay rolls from Federal and State taxes, is fast reaching a magnitude and number impossible for the remaining people to support without taking away the whole of their earnings and income with which to provide the means to live.

The cost of artificial recovery and chance experimental relief, first beginning with the Hoover Farm Board experimenting with cooperative marketing and recommending crop reduction to raise prices, making R. F. C. loans to private industry, and appropriating large sums from the Treasury for public-building programs, all from money borrowed at interest, and now continued under this administration, to be tried out and tested without any assurance of beneficial results, at the cost of billions to the taxpayers, is fast creating an intolerable tax burden piling high the bonded debt upon the people, which, if continued as in the past, as certain as the coming of tomorrow, will bring a calamity and disaster even more intolerable to the country than the panic or depression itself.

Under these experimental recovery measures, with the greater part of the cost funded in cumulative interest-bearing bonds and again refunded at maturity to be borne and paid for by future generations, and with the people of today carrying only a part of the tax burden, they are groaning under the burdens, they are struggling to meet the demands upon them, they are being drained of their scant earnings, they are being exhausted of their means to live. To meet

the demands of increasing taxes, after levying Federal and State taxes, direct taxes and indirect taxes, sales taxes, and gross sales taxes, many other forms of taxes are being planned and devised to reach further tax resources, to take and exact even greater taxes, even more taxes from the people.

There is no escape from the realization that the amounts required to meet governmental expenses, if all were to be levied and collected as and at the time the expenditures were made, would leave the masses of the people today staggering under crushing and intolerable burdens. Or, if these costs were all funded in interest-bearing bonds, they would rivet a ton of weight ball-and-chain debt upon the ankles of every new-born child to be held in bondage for his natural life. A great part of these new taxes collected are being levied as indirect taxes, taxes hidden, covered, and concealed in the price of the necessities of life, which the people must buy to live and which the people are paying unconsciously, realizing only the high cost of living.

It must be understood that these taxes which the law assumes to assess against capital and excess wealth, on the principle of the ability to pay, are not paid by those against whom assessed, but are added to increase the price of the necessities and comforts of life and collected from the masses of the people. And what is true of taxes is equally true of interest. The interest paid by both the State and the Nation, the corporation interest charge, and all the interest collected from wherever and in whatever manner or form, is ultimately added to the price of the necessities required to live. It is estimated and computed from reliable sources that from every dollar expended by the people there is first taken 20 cents for taxes, then 33 cents for the interest charge directly or indirectly, or in some manner directly or indirectly collected. This leaves the people as consumers with only 47 cents of their dollar for use as buying and consuming power, and working over half the time to pay their own and other taxes and to meet the direct or indirect interest charge.

In the course of medical science the first step in the treatment of the human body is to eradicate the microbes and parasites which infest the tissues and cause disease. And then when the organs are relieved from the poisons and obstructions, and their normal functions are restored all there is left to be done or can be done is to leave nature to repair and rebuild the body. And this should be the course observed in treating the economic evils of the panic, and would be the course, if Congress would only act by making the currency relief measures mandatory to eradicate the microbes and parasites preying upon the body of industry. This would leave the natural laws of supply and demand and competition free to operate, and money in sufficient volume would be restored back in circulation and ample for the exchange of services and commodities and the payment of debts and obligations.

The natural energies and enterprise of the people, the virgin fertility of the soil, the inexhaustible sources of the land, the natural rainfall, sunlight, and climate would all coordinate in nature's plan to restore our paralyzed industrial system, and economic recovery would come, come like gushing water from the fountain, come like the bursting buds in the springtime, come without exhausting taxes upon the present, come without crushing interest-bearing debts chained upon the future generations, come free without cost or price to the people.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana may be permitted to proceed for 5 additional minutes.

Mr. COCHRAN. Mr. Speaker, I object. Let the RECORD also show that the applause and the request for additional time comes from the Republican side of the House. [Applause.]

Mr. GRAY of Indiana. I care not what the RECORD shows as to the applause so it does not come from the gentleman.

APPOINTMENT OF COMMISSIONER FOR UNITED STATES COURT FOR CHINA

Mr. CELLER. Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent that H. R.

6547, authorizing the appointment of a commissioner for the United States Court for China and defining his duties, which has been deemed to have been improperly referred to the Committee on Foreign Affairs, be properly rereferred to the Committee on the Judiciary.

Mr. Speaker, I have spoken to the Chairman of the Committee on Foreign Affairs, and he stated he wanted some time to confer with the Parliamentarian. I may say, however, that bills of this character were heretofore referred to the Committee on Foreign Affairs because of an Executive order issued by the late President Theodore Roosevelt back in 1906 which conferred jurisdiction over that court to the State Department, but recently, on June 10, 1933, by Executive order of Franklin D. Roosevelt, jurisdiction over the United States Court for China, as well as insular courts, was transferred to the Department of Justice. The Department of Justice now exercises jurisdiction which the Department of State heretofore exercised. The Judiciary Committee feels that the reference of these bills, conferring, taking away, or enlarging jurisdiction over these courts, and setting up purely judicial functions, should be to the Judiciary Committee and not to the Committee on Foreign Affairs.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. McREYNOLDS. Mr. Speaker, I object.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CELLER. Is it not in order to move that the reference of the bills be made?

The SPEAKER. The gentleman's motion is in order provided the gentleman has the authority of the Committee on the Judiciary to take such action.

Mr. CELLER. I have authority from the Judiciary Committee to offer the motion.

Mr. Speaker, I move that the bill H. R. 6547 be properly rereferred to the Committee on the Judiciary.

Mr. McREYNOLDS. Mr. Speaker, does the Chair recognize the gentleman for that purpose?

The SPEAKER. The gentleman has the floor and has made a motion that is in order at this time. The gentleman from New York moves that the bill H. R. 6547 be rereferred to the Committee on the Judiciary. The Chair may state to the gentleman from Tennessee that the motion is not debatable.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the title of the bill be read.

Mr. McREYNOLDS. Mr. Speaker, does the Chair recognize the gentleman from New York for the purpose of making this motion?

The SPEAKER. The motion is a proper one and the Chair has no other alternative than to recognize the gentleman from New York for that purpose.

Mr. BLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLAND. May I ask, according to the rules, if a motion to correct a reference must not be made immediately after the reading of the Journal and before any other business has been transacted?

The SPEAKER. There has been no business transacted, the Chair may say to the gentleman from Virginia, except unanimous-consent requests.

Mr. BLAND. I thought that was business. I have no interest in the pending matter at all.

The SPEAKER. The House has not proceeded with the business on the Speaker's table as yet. What has been done up to this time has been by unanimous consent.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. CELLER. Mr. Speaker, reserving the right to object, I should like to have the privilege of addressing the House for 2 minutes at the conclusion of the gentleman's remarks.

Mr. McREYNOLDS. The gentleman has already addressed the House. I merely wanted to say that this is an amendment to the original act. The Committee on Foreign

Affairs had jurisdiction of this bill, and it was properly referred to that committee.

Mr. MILLARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may proceed for 2 minutes.

Mr. McREYNOLDS. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, we do not even know what the bill is. The title has not been read. There is a motion before the House, and if that motion is not debatable, I object.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. CELLER].

Mr. COCHRAN. Mr. Speaker, what is the motion?

The SPEAKER. The motion is to rerefer the bill H. R. 6547 to the Committee on the Judiciary.

Mr. FITZPATRICK. Mr. Speaker, the bill has not been reported.

Mr. COCHRAN. I submit the bill has not been read. How can we know what the bill contains simply by knowing the number of the bill?

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes to explain the bill for the gentleman's edification.

The SPEAKER. Objection has been made to that request.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. In the opinion of the Chair, was the bill properly referred in the first instance?

The SPEAKER. Of course, the Chair thinks so, because it was so referred.

Mr. McREYNOLDS demanded the regular order.

The SPEAKER. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 37, noes 84.

So the motion was rejected.

CALENDAR WEDNESDAY

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, be dispensed with.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, I shall have to object to this request. The Committee on Immigration has not had a day of its own for more than 12 years and we have been dispensing with Calendar Wednesday business since I have been a Member of this House without giving this committee and the other committees an opportunity to be heard. We have not had a day on the floor this session and we have had none for 14 years, and under the circumstances I am compelled to object.

The SPEAKER. Objection is heard.

THE INCONSISTENCE OF RESTRICTION ADVOCATES WHO OBJECT TO CONSIDERATION OF REMEDIAL LEGISLATIVE MEASURES

Mr. DICKSTEIN. Mr. Speaker, under leave granted me to extend and revise my remarks today in opposition to the request by the gentleman from Colorado [Mr. TAYLOR] that business in order tomorrow—April 3, Calendar Wednesday—be dispensed with, I wish to present some facts to the Members of this House relative to the consideration of bills referred to the committee of which I am chairman, and the inconsistency of objections raised on this floor to proper consideration of bills reported from the Committee on Immigration and Naturalization.

For several weeks past statements of all kinds have been hurled, both from the floor of this House and in the public press, against the Chairman of the Committee on Immigration and Naturalization, some even accusing him of being responsible for the difficulties which the country is facing relative to adjustment of some distressing phases of our immigration laws.

These accusations were effectively answered by me on the floor of this House, and I felt that nothing remained to be said in my effort to clear up the situation for the information of the Members of this body. But a few days ago the gentleman from Texas [Mr. BLANTON], the gentleman from Ohio [Mr. JENKINS], and the gentleman from Ohio [Mr. TRUAX]

have seen fit to proceed again with their misstatements concerning the situation as it affects the existing immigration laws.

I have also been charged with being responsible for the return to the United States of Emma Goldman, it being claimed that it was legislation I sponsored which made it possible for her to come in recently as a visitor. So I say the time has come when it is necessary to give this body a thorough review of the present situation.

The gentleman from Texas [Mr. BLANTON] said:

Mr. Speaker, in 1932 the gentleman from New York [Mr. DICKSTEIN], who was then, and is now, Chairman of the Committee on Immigration, brought in here a bill which he passed, and it was approved May 25, 1932, and became Forty-seventh Statute, 165.

Later the gentleman from Texas [Mr. BLANTON] referred to operations under that law, and in reference to Emma Goldman he said:

She was brought back to the United States under that bill. If it had not been for that bill, she would not have been brought back here.

Now let us see what the underlying facts really are.

An act approved March 4, 1929 (45 Stat. 1551), contained provisions in section 1 (a), which, for all practicable purposes, amounted to total banishment of every alien against whom a deportation order had been issued, either before or after the approval date of that act. There were absolutely no exceptions.

The operations under that section of the act proved to be so inhuman and tyrannical in effect that on June 24, 1929—less than 4 months after the Banishment Act became law—an amendment was approved which gave certain discretion to the Secretary of Labor in the cases of aliens who had been deported prior to March 4, 1929, so that such aliens may apply from abroad for permission of the Secretary of Labor to file a new application for an immigration visa with an American consular officer abroad.

During the Seventy-second Congress, persistent representations were made to the Committee on Immigration and Naturalization, and also to the Senate Committee on Immigration, that under the operation of that amendment, a lot of hardship was being inflicted upon families in the United States left behind when the breadwinner of the family was deported, in many cases only on a technicality of the law, after March 4, 1929, and was thereafter perpetually prevented from ever returning to the fireside of his family in the United States. The hardship in these cases had to be borne by those of the family left here when the breadwinner had been forced to leave and the committees were urged to remedy that situation.

However, contrary to the statement made by the gentleman from Texas [Mr. BLANTON], the relief that had been earnestly requested by the families of these deported breadwinners was not originally in any bill as reported directly to this House from the Committee on Immigration and Naturalization under my sponsorship—although I would have been glad to sponsor such a relief measure for meritorious cases where the deported person was definitely in the noncriminal classes.

What happened was this: The Committee on Immigration, under date of January 25, 1932, reported a bill known as "H. R. 6477", the purpose of which was to further extend certain naturalization privileges to alien veterans residing in the United States. This bill was passed by the House and sent to the Senate.

The session of that Congress was rapidly drawing toward an adjournment, and for that reason, and owing to the urgent need for certain other immigration and naturalization legislation pending at that time before them, the Senate Committee on Immigration added a number of amendments to the House bill 6477 and reported the amended bill to the Senate.

This amended bill was passed by the Senate and was sent to a conference of the two Houses. The House then receded from its disagreement to the Senate amendments, the report of the conferees was agreed to by the House, and there is nothing in the RECORD to show that the gentleman from Texas [Mr. BLANTON] objected to this final action by the House.

This amended bill, as finally agreed upon by both Houses of Congress, became law upon the approval by the President on May 25, 1932 (Public Law No. 149, 72d Cong.).

A careful study of this statute shows that the gentleman from Texas [Mr. BLANTON] was referring to section 7 of this act. That section reads as follows:

SEC. 7. Despite the provisions of subdivision (a) of section 1 of the act entitled "An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law", approved March 4, 1929, as amended, an alien, if otherwise admissible, shall not be excluded from admission to the United States under the provisions of such subdivision after the expiration of 1 year after the date of deportation if, prior to his reembarkation at a place outside of the United States, or prior to his application in foreign contiguous territory for admission to the United States, the Secretary of Labor, in his discretion, shall have granted such alien permission to reapply for admission.

This section 7 of the act of May 25, 1932, simply amends the so-called "Banishment Act" as approved March 4, 1929, so as to provide a means of alleviation in cases where the perpetual exclusion of all deportees operated to forever prevent members of the family in the United States from ever having the husband or the wife or children who had been deported rejoin the family fireside in the United States.

The alleviation granted by this new amendment was strictly limited so as to require the person deported to stay away at least 1 year following deportation, and after that lapse of time then personally apply from abroad directly to the Secretary of Labor for permission to return. In the discretion of the Secretary of Labor, such applications could be acted upon by granting the deported person permission to come back. Thereafter the deported alien would initiate an altogether new application for an immigration visa before an American consul abroad, and upon establishment of eligibility to admission to the United States under the immigration law would be given a new visa, and then upon arrival at a port of entry this immigrant would be subject to all examinations that every newly arrived alien is required to submit to when seeking admission.

I fail to see how the gentleman from Texas [Mr. BLANTON] could possibly object to this humane procedure. Yet that is the law he erroneously charged me with sponsoring and erroneously laid on me responsibility for some action which he disapproves.

The remarks of the gentleman from Texas [Mr. BLANTON] on that occasion were very much in line with the statement he made on this floor when the Filipino repatriation bill was before the House. At that time he said there were 20,000,000 aliens in the United States, of whom 10,000,000 were here illegally. That erroneous statement was effectively answered.

Now, Mr. Speaker, I wish to refer briefly to each of the bills reported from the Committee on Immigration and Naturalization and others pending before that committee, all of which should obtain the full cooperation of everyone in the House who is interested in seeing that the interests of this country shall be adequately protected without inflicting any injustice to anyone. These several bills are as follows:

H. R. 5839: The purposes of this bill are to provide legislative authority for the removal of aliens from the United States when they come here for a visit or for a temporary stay and then engage in spreading foreign propaganda and mix in local political activities in the United States. The bill further seeks to extend the authority of the Secretary of Labor to remove from the United States any alien who ostensibly comes to this country for permanent residence but who, after admission here, proceeds to spread a political philosophy of racial and religious intolerance among American citizens and political philosophies inconsistent with the American theory of government, even advocating the use of force and violence to establish here those alien ideas of how the United States should be governed.

Having recently concluded a thorough investigation into subversive activities of aliens in the United States and thereby having obtained definite information about the way that this pernicious activity is carried on here, it is quite obvious to me that legislation of this type is sorely needed to attack this dreadful scourge at its very root. I am sure that

the purposes of this bill are salutary, and I feel it will receive the support of all fair-minded Members of the House. I did not believe there would be a Member of this House who would be opposed to this type of legislation, yet I see that the Membership of this House was prevented from fully considering this bill by objections raised by the gentleman from New York [Mr. MARCANTONIO], the gentlewoman from New York [Mrs. O'DAY], the gentleman from Ohio [Mr. JENKINS], the gentleman from Nebraska [Mr. STEFAN], and the gentleman from Wisconsin [Mr. WITHROW].

That bill would remove many undesirable aliens, and I fail to see the consistency of the objections made.

Another bill reported from the committee is H. R. 5799. This proposes to correct a situation created by the recent Saar plebiscite. Many naturalized Americans went from the United States and cast their votes in a foreign country on a matter in which they as United States citizens had no interest, and they voted in the interest of a foreign nation. A study of our laws revealed that there is no statute in existence which is sufficient to bring about the forfeiture of the citizenship of such naturalized aliens who hold a dual allegiance of this character. Hence reluctantly concluding that such drastic legislation is necessary this bill was reported. While the measure reported will not affect those who voted in that Saar plebiscite, probably the enactment of this bill now would prevent such a situation arising in the future and would serve notice that hereafter there will be no such double allegiance. Persons who become naturalized citizens will know they must declare themselves as Americans and by that act give up all connections which would justify taking part in elections or plebiscites in the interests of any foreign country, and they will know that if they do vote in a foreign election they must suffer the consequences and be classed here as aliens and subject to all disabilities that aliens may be subjected to thereafter.

This very necessary new legislation was not permitted to receive proper consideration by this House when the gentleman from Wisconsin [Mr. WITHROW], the gentleman from Ohio [Mr. JENKINS], the gentleman from Illinois [Mr. DIRKSEN], and the gentleman from Michigan [Mr. WOLCOTT] all objected to consideration of this bill. I am at a loss to understand what possible objection could justify them in preventing the Membership of this House from acting on this remedial type of legislation which seeks to strengthen citizenship.

Another bill which the committee has submitted for the consideration of the House seeks to correct a situation growing out of the provisions of the Cable Act which gave to married women individual citizenship status independent of their husbands. This bill (H. R. 4354) proposes to restore citizenship to women born in the United States, who are living in the United States, who have never taken personally any oath of allegiance to any foreign government but who, nevertheless, lost their citizenship prior to September 22, 1922, simply because before that date they married aliens. An American woman who married an alien subsequent to September 22, 1922, did not thereby lose her citizenship. This bill will benefit only native-born women who are now and for 3 years have been living in the United States and will enable them to resume their citizenship without exhaustive procedure before naturalization authorities and permits them to obtain a certificate of citizenship, if they desire it, in a rather informal manner.

I cannot for the life of me see why there should be any objection to this bill, since it simply equalizes the citizenship status of native-born women now living in the United States who married aliens prior to September 22, 1922, with the citizenship status of native-born women now living in the United States who married aliens after September 22, 1922.

Yet when this bill was reached the other day on the calendar, the objection of one Member prevented consideration by the House. This one objection came from the gentleman from California [Mr. GEARHART]. I was especially surprised at this objection, since the gentleman who thus prevented consideration of H. R. 4354 now has pending with the Committee on Immigration and Naturalization a bill of

somewhat similar intent, only his bill would permit any woman who had lost her citizenship by reason of marriage to an alien, or because her husband lost his citizenship, to regain her own citizenship by a short naturalization procedure while she is living abroad, and he would permit the woman seeking repatriation to take her oath of allegiance before an American consul in a foreign post of duty with no requirement on the woman's part that she intends to reside permanently in the United States.

If the gentleman from California would seek this privilege for a woman living abroad I fail to see his reason for objecting to the consideration of the bill H. R. 4354, which seeks a similar privilege for women born here and living here.

Again referring to the Filipino repatriation bill—which is House Joint Resolution 71—and which was objected to about a month ago by the gentleman from Texas [Mr. BLANTON], the gentleman from Ohio [Mr. TRUXAX], and the gentleman from Michigan [Mr. HOOK]. The objections by these three Members struck that resolution from the Consent Calendar for this session of Congress.

I cannot see the consistency of such objections when the same gentlemen continually tell you we should get rid of undesirable aliens. The Filipino is neither an alien nor a citizen—he is just a national or subject. Yet this resolution proposed to relieve many local communities and political subdivisions of the United States which now have a very real problem in the burden of caring for unemployed and distressed Filipinos; we proposed paying their fares back to their native homeland, and in this way repatriating them and taking them off public relief rolls thereby saving money for the American taxpayer in the long run.

A similar measure was submitted 2 years ago and was supported by the Secretary of War, the Secretary of the Navy, and the Secretary of Labor. The resolution has the support of our immigration officials and will undoubtedly encourage voluntary applications from many Filipinos for transportation back to the Philippine Islands.

I have no doubt a close examination of the purposes of the resolution, coupled with a study of the situation and a careful reading of the report by the Committee on Immigration and Naturalization, will convince many Members of this House of the soundness of its provisions, and they will then permit this measure to be considered and passed by this House. It will help the Filipinos and this country, too.

Another bill which the Committee on Immigration recently reported out provides for the repatriation of aliens who have fallen into distress and unemployment and is H. R. 3472, which gives that right to the Federal authorities in lieu of the existing provisions of law which limit such aid to 3 years after the entry of the aliens into the United States. The proposed statute intends to grant this right to the Secretary of Labor without any limitation of time after entry in the case of any alien who finds that he cannot maintain himself in the United States, wishes to go home, could be transported at the expense of the Government and thereby relieve our communities of the problem of caring for, supporting, and maintaining such aliens.

Yet here again we find Members of this House, who claim to be interested in relieving this country of undesirable aliens, entering objections to consideration by this House of this bill—H. R. 3472—which is a very much needed measure. Three objections were entered on March 4, 1935, by the gentleman from Ohio [Mr. JENKINS], the gentleman from Texas [Mr. BLANTON], and the gentleman from California [Mr. CARTER].

A study of these bills and the objections made to their consideration by this House after the Committee on Immigration and Naturalization has submitted unanimous reports favoring the passage of these necessary legislative measures will cause any candid student of the situation to wonder at the apparent inconsistency indicated by the Members who urge restriction and clean-up, on one hand, while, on the other hand, preventing the Membership of this House from consideration of beneficial legislative measures in line with their expressions.

The program of our committee would not be complete without granting some relief to World War veterans of alien birth who for sometime past could be naturalized under a shortened procedure, but the law under which this naturalization could be effected has since expired. We propose to extend this period of time and we also wish to extend the same privileges to aliens who did not serve under our flag but who did serve under the flags of countries with which the United States was allied during the World War. I believe that with this proposed legislation our immigration problem will be materially remedied and that we shall then be as near its solution as is feasible.

This measure for the benefit of veterans of the World War was passed by the House on April 1, 1935, and sent to the Senate. This is the second bill sent to the Senate this session from the Committee on Immigration and Naturalization.

I conclude with just this statement. That every bill reported from the Committee on Immigration and Naturalization this session has met with unexpected and unwarranted opposition on the floor of this House and it seems impossible to secure appropriate consideration of measures that should be passed in the ordinary procedure of the House. The committee has not had a regular call on Calendar Wednesday at any time in many years and now with the repeated practice of dispensing with Calendar Wednesday business, according to the House rules, there seems practically no chance this session for orderly consideration of our bills except by the granting of special privileges through rules from the Committee on Rules. I hope we may yet have consideration of some of the important measures which have been reported from the Committee on Immigration and Naturalization and the very vital legislation which will yet be reported from that committee during the next few weeks.

I thank you.

H. R. 7017—A WAY TO STAMP OUT CHILD LABOR

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLENBOGEN. Mr. Speaker, I wish to speak on a national problem which after many years remains to be solved. I refer to child labor—still one of the dark spots of our social system. Too many of us have, unfortunately, assumed that the evils of child labor were a thing of the past. I can tell you that this is decidedly not so. Child labor, with its evils, its hardships, its senseless injustice, is a part of our daily life and living.

A PROPOSED CHILD-LABOR LAW

It is for this reason that last Wednesday, March 26, I introduced in the House of Representatives H. R. 7167, which, if adopted, will make child labor a thing of the past. Essentially this bill is designed to prevent the use of child labor by barring from the mails all articles which are manufactured, sold, packed, or delivered by child labor. My bill makes it a violation of the law to send such articles through the mails, as well as any letter, post card, statement, invoice, or check which refers to or deals in any way with such articles. The bill defines child labor as the employment of all children under the age of 16, and the employment of children between 16 and 18 for more than 6 hours a day or more than 5 days a week.

THE CHILD-LABOR AMENDMENT

I want to say first of all that I was hoping that it would not be necessary to introduce this bill. As we all know, the proposed child-labor amendment—which would be the twenty-second amendment to the Constitution of the United States—has been before the various States of this country for the last 11 years for ratification. This amendment would give Congress the power to regulate the employment of persons under 18 years of age. For an amendment to become part of the Constitution the approval of 36 States is required. Up to 1935, 20 States had ratified this amendment,

and those splendid men and women who had fought for it were hoping that success was in sight.

I hoped that ratification by the States would come fast. However, during the past year only 4 additional States have ratified the child-labor amendment, whereas 14 have rejected it. There is absolutely no chance that the necessary 36 States will have ratified the amendment by next year, since most State legislatures are now adjourning and will not meet again for 2 years. So if we are going to strike at child labor, if we are going to abolish it, then we must do so through congressional legislation.

UNITED STATES CHILD-LABOR STATISTICS

Does child labor still exist in this country? Let me place before you some official figures which have been gathered on this question.

How many of us realize that in 1930 more than 400,000 children between the ages of 10 and 17 worked as laborers and operatives; that 15 percent of this 400,000 were 15 years and under; and that in this same year, 1930, just 4 short years ago, 235,000 of this same total were 10 to 13 years old?

Appalling as these official figures are, they do not paint the whole hideous picture, because it is well known that there are many children even younger who are put to work the year around at back-breaking tasks—in street trades, and in industrial home work, and in other occupations.

WORKING CONDITIONS IN CHILD LABOR

When we thoroughly examine and study reports on the conditions under which these children work, we find a shameful record of abuses, of despicable working conditions, of a greed for profit, and of total damage to the health, the safety, and even the very lives of these boys and girls.

Employers who use child labor are not interested in their safety or in their health. They are interested in making profits out of the labor of children. They force them into the least skilled and into the hardest kinds of work. In canning factories children haul heavy pails of fruit and vegetables; they stack heavy cases filled with canned goods. They work as long as 10 and 12 hours a day on wet floors, in steam from the machines in which fruit and vegetables are cooked.

In textile factories the use of child labor has for a long time been one of the darkest blots on industry. We have had stories of long hours, of children worked until they have collapsed at their machines, and of pay envelopes of \$2 and \$3 a week for 60 and 70 hours of work.

This is what child labor is—the meanest, the most underpaid, the most injurious work. I can sketch only the high lights of such a system here, for this record of shame would fill many volumes.

ECONOMIC WASTE IN CHILD LABOR

And where did all this get us? What were the profits to the manufacturer who turned out his products by the use of this modified slavery? And what were the profits to our country which permitted this system—a system which prevented millions of children from receiving the education, the health supervision, and the social contacts to which they were entitled?

Well, we all know what happened to the manufacturer who produced huge stacks of manufactured goods which he could not sell because labor had no money with which to buy them. His own greed led to his ruin.

As for the country itself, the loss cannot be measured in dollars and cents, but just the same it is just as serious, if not more so. You cannot chain children to machines, keep them away from sunlight and fresh air, and deny them the benefit of normal schooling and play without great injury to this and to future generations.

CHILD LABOR A CRIME AGAINST SOCIETY

Of all waste the most inexcusable is the waste of potential brains and ability. In this lies the crime of child labor. It is a crime against society and ourselves, as well as against the child. When you put a child to work, you thrust him into a hard and unyielding pattern at an age when he is quickest to react to his surroundings and associa-

tions, when he is most likely to learn his special possibilities in future life; at that age child labor presses his body and spirit into a mold from which he cannot escape. He is lost both to himself and to society.

No, Mr. Speaker, the country as a whole has paid a high price for child labor. It will continue to pay that price until we have abolished it forever.

And we must abolish it. The need for doing so is greater today than ever before. It is these years of depression which, for the first time, have shown us how short-sighted our policy has been. For it is this same child labor which has thrown millions of adults into the bread lines and the relief rolls.

All available jobs belong to the adults, and not to children. When you give jobs to children, the adults become jobless. If we had realized this 5 or 10 years ago, if heads of families could have seen that by sending their children to factories and shops to work long hours for pitifully small pay, they were merely creating a condition which would in time take away their own employment, we would not have so much unemployment and so much suffering today.

N. I. R. A. NOT A SOLUTION

I would like to mention here one argument which has been made against the permanent abolition of child labor, an argument which should be shown up because it is worthless and is doing the movement much harm. Many people have said: Why all this agitation against child labor? Has not the National Industrial Recovery Act taken care of this problem? Do not most of the codes outlaw child labor? I ask the people who raise these questions some other questions.

I ask them if they are not overlooking the fact that of the 431,000 children 14 and 15 years old who were working in 1930, 61 percent were in agriculture. These have no codes. I could further tell them that of the 235,000 children 10 to 13 years old who were working in 1930, 87 percent were in agriculture. These have no codes.

Too, in 1930 there were 37,000 wage earners in commercialized agriculture. There were 23,000 bootblacks and other street workers. There were 40,000 domestic workers. They have no codes. No; for these the N. I. R. A. has no solution to offer.

Also, there is the hard fact that the National Industrial Recovery Act expires on June 16, 1935. Of course, plans are already being discussed for its renewal, but we must bear in mind two things: The National Industrial Recovery Act is emergency legislation; it is specifically temporary in nature. Furthermore, it is becoming increasingly evident that if and when new legislation of this type is enacted it is going to be confined in the main to the workers engaged in interstate commerce.

If carried out, this would leave hundreds of thousands of child laborers, in industries whose activities do not extend beyond the boundary of a single State, without protection.

My bill would apply equally to interstate and intrastate commerce. By barring the use of the mails to a firm engaged in child labor I have created an instrument which would be thoroughly effective in abolishing child labor.

UNITED STATES IS READY FOR ACTION

Ladies and gentlemen, it is my firm belief that this country is ready, and is eager, for such action. As I mentioned before, it has remained for the depression to bring home the full realization. Millions of unemployed know now the bitter truth that the struggle for work belongs to the adult. Even without these bitter lessons, the evils of child labor were sufficient to make us want to do away with this system. These lessons show that we can no longer wait. Let us have action now.

I hope that the Congress will pass H. R. 7017.

TOWNSEND OLD-AGE-PENSION PLAN

Mr. HOEPEL. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOEPEL. Mr. Speaker, yesterday I received a communication from the office of the Governor of the State of California which states briefly:

At the request of Governor Merriam and in accordance with the terms of the resolution, I am enclosing herewith for your information and record a certified copy of assembly joint resolution no. 39, adopted by the California State Legislature.

This resolution calls upon the Congress of the United States as follows:

Resolved by the Assembly and Senate of the State of California, jointly. That the Congress of the United States is respectfully urged to enact H. R. 3977, introduced in the House of Representatives January 16, 1935, and cited as the "Townsend old-age revolving pension bill." The State of California urges that this legislation be enacted into law.

Yesterday my distinguished colleague and friend from California [Mr. McGROARTY], introduced a revised Townsend old-age-pension plan. I hope the Members of the House of Representatives, especially the Republicans, inasmuch as this request comes from a Republican administration in the State of California, will sign the petition on the desk to bring the Townsend plan to the floor of the House so this question may be heard and determined.

Mr. BULWINKLE. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. In just a moment.

In this same connection I should like to read a press item, "Shops Guarded in Los Angeles." This occurs in my own district where the distressed people are boycotting the shops because of the high price of meat and other commodities.

If we will enact the Townsend plan, or any other real, remedial legislation, the unemployed will not be driven to take radical action of this kind.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. I yield.

Mr. KNUTSON. Does the gentleman think it is helping to restore prosperity to increase the price of food commodities to such a point that the unemployed cannot afford to eat?

Mr. HOEPEL. If we enact the Townsend old-age-pension plan, there will be no unemployed. This plan will put billions of dollars into circulation which will benefit not only the aged, the direct beneficiaries of the plan, but youth as well, and the stimulative effect of this increased purchasing power will be felt throughout the length and breadth of our land, among all classes and in all industries. There would be no more lack among our people for the barest necessities of life, for all would have sufficient funds with which to purchase them.

Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein this resolution and other papers submitted to me from the office of the Governor of California, also to include at the conclusion the old-age-pension plan introduced yesterday by my distinguished colleague the gentleman from California [Mr. McGROARTY].

Mr. YOUNG and Mr. BULWINKLE reserved the right to object.

Mr. YOUNG. Mr. Speaker, the resolution was offered in another body and is in the CONGRESSIONAL RECORD, as I understand it, and, furthermore, the gentleman from California [Mr. HOEPEL] refers to the Townsend plan, and the Townsend plan, as set forth in the original bill introduced in January, has now been abandoned by Dr. Townsend and its leaders, and the Townsend plan is now embodied in a measure that was introduced in the House of Representatives yesterday by the gentleman from California [Mr. McGROARTY].

Therefore I object to the inclusion of any material other than the gentleman's own remarks.

Mr. HOEPEL. I regret that the objection of the gentleman from Ohio [Mr. YOUNG] prevents the printing in the RECORD of H. R. 7154, the revised Townsend bill introduced by Mr. McGROARTY, which makes no change whatever in the essential features of the plan, as embodied in H. R. 3977.

In my opinion, legislation of this kind is very necessary, and I further wish to say that I believe no legislation thus far advanced in the new deal will have as far-reaching and positive an effect toward our national recovery as will the

Townsend old-age revolving pensions, which the State of California memorializes the Congress to enact.

We should not deceive ourselves. The unemployment situation is more serious today, in a sense, than it was when our party took over the reins of government, notwithstanding that we have spent billions of dollars since that time and are continuing to appropriate additional billions with which to battle the depression.

The patience of the people is more or less under an elastic strain, and their endurance almost at the breaking point. An evidence of this is the boycott which individuals in Los Angeles are now applying as a protest against high prices of meat and, indirectly, the higher prices which they are compelled to pay for other necessities of life. According to the newspaper item, to which I have already referred, this boycott is attributed to the activities of "reds."

Certainly no one would attribute communistic sentiments to disabled war veterans who are receiving compensation, yet I received yesterday a communication from a tubercular World War veteran, who because he receives the paltry sum of \$25 compensation was removed from F. E. R. A. employment, and now is given only four grocery orders per month. Notwithstanding that this disabled veteran has a wife and 4 children, ranging in ages from 14 years to infancy, he is expected to maintain himself on his insignificant compensation of \$25 per month, plus the meager food orders, a copy of which discloses that fresh meat or fish was not furnished, but that, in lieu thereof, he was supplied with corned beef. Assuredly, this is not a diet for growing youth, much less for a tubercular veteran and, assuredly, no one would attribute communistic thought to an individual of this character who joined the boycott as a protest against the inordinate and increasing high cost of living.

I am satisfied that if we enact the Townsend old-age revolving pension plan conditions such as I have described will not arise, and I do hope that the Congress will not adjourn, without examining into and passing upon the merits of the proposal of Dr. Townsend, as so admirably expressed in the McGroarty bill.

The petition, which has been placed on the Clerk's desk, to discharge the committee from further consideration of the Townsend old-age-pension plan, as embodied in the McGroarty bill, and to bring it to the floor of the House for action, bears only 57 signatures. Of this number, there are 14 signatures of Representatives from the State of California, who are to be commended for their just attitude, expressing as it does the American principles of democracy, which demand that the voice of the minority as well as that of the majority shall be heard in the councils of our Nation.

In conclusion, I reiterate my former request that every Member who is interested in giving our aged citizens a square deal and in increasing the opportunities of our young people sign the petition to which I have referred, in order that full and free discussion may be had on this humane measure, the enactment of which, in my opinion, will do more than anything yet advanced to bring about our national recovery.

LEAVE OF ABSENCE

Mr. BROWN of Michigan. Mr. Speaker, due to a death in the family of my colleague, the gentleman from Michigan [Mr. DINGELL], he left Washington Friday afternoon and was unable to be back here yesterday. I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may be given an indefinite leave of absence.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., March 29, 1935.

HON. JOSEPH W. BYRNS,

Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a Member of the Committee on War Claims, and would request that the same be made effective immediately.

With kind regards, I am

Sincerely yours,

THEO. B. WERNER.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

The Clerk called the first bill (H. R. 3722), a bill for the relief of Samuel Kaufman.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I object because another identical bill has been passed by the House, and this ought to be stricken from the calendar.

Mr. CLARK of Idaho also objected.

The bill was stricken from the calendar.

MUNCY PRIVATE HOSPITAL

The Clerk called the next bill on the Private Calendar, H. R. 1291, for the relief of the Muncy Valley Private Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to the Muncy Valley Private Hospital the sum of \$158.22 for medical treatment and hospital care of James Allen Fetterman, seaman, second class, United States Navy.

With the following committee amendment:

At the end of the bill insert: "*Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*"

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. A. TAYLOR

The Clerk called the next bill on the Private Calendar, H. R. 1487, for the relief of H. A. Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of H. A. Taylor, postmaster at Cleveland, Ohio, in the sum of \$800, due to the United States on account of loss of postal funds resulting from the acceptance by Clerk Charles H. Jones of a certified check in payment for stamp stock, which check was later found to be a forgery.

With the following committee amendment:

Page 1, line 3, strike out "Postmaster General" and insert "Comptroller General of the United States."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSE BURKE

The Clerk called the next bill on the Private Calendar, H. R. 1488, for the relief of Rose Burke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose Burke, of Cleveland, Ohio, the sum of \$5,500, in full settlement of all claims against the Government of the United States on account of the death of Thomas E. Burke, husband of the said Rose Burke, resulting from injuries received May 24, 1931, when a United States mail truck struck him.

With the following committee amendment:

Page 1, line 6, strike out "\$5,500" and insert "\$5,000"; and on page 1, line 10, after the word "him", insert the following: "*Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the con-*"

trary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARBOR SPRINGS, MICH.

The Clerk called the bill (H. R. 1492) for the relief of Harbor Springs, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to the village of Harbor Springs, Mich., out of any money in the Treasury not otherwise appropriated, a sum equal to:

(1) One-half of the total amount of the several payments made by the village to satisfy a judgment rendered against it in an action for damages for the death of Ernest H. Haines, an employee of the United States Weather Bureau, with interest at 5 percent per annum on one-half of each of such payments from the respective dates of payment to the date of payment by the Secretary of the Treasury under this act.

(2) All expenditures made by the village in defending the action.

(3) All expenditures made by the village in prosecuting a claim in the Court of Claims to establish the liability of the United States as a joint tort-feasor on account of the death of such employee.

Sec. 2. Such payment shall be in full satisfaction of all claims of the village of Harbor Springs against the United States on account of the death of Ernest H. Haines: *Provided*, That no part of the amount appropriated by virtue of this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by virtue of this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COSTELLO. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. COSTELLO: Page 2, line 3, after the figure "(2)" insert "one-half of."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DOUGLAS B. ESPY

The Clerk called the bill (H. R. 1550) for the relief of Douglas B. Espy.

The SPEAKER. Is there objection?

Mr. KRAMER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. MILLARD. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX and Mr. KRAMER objected, and the bill was recommitted to the Committee on Claims.

R. A. WILLIAMS

The Clerk called the bill (H. R. 1609) for the relief of R. A. Williams.

Mr. CLARK of Idaho and Mr. HOPE objected, and the bill was recommitted to the Committee on Claims.

PAULINE FORNABAIO

The Clerk called the bill (H. R. 1771) for the relief of Pauline Fornabao.

Mr. CLARK of Idaho and Mr. COSTELLO objected, and the bill was recommitted to the Committee on Claims.

JULIA SANTIAGO

The Clerk called the bill (H. R. 1830) for the relief of Julia Santiago.

Mr. HANCOCK of New York and Mr. HOPE objected, and the bill was recommitted to the Committee on Claims.

WILLIAM J. RYAN

The Clerk called the bill (H. R. 1912) for the relief of William J. Ryan, Chaplain United States Army.

Mr. HANCOCK of New York and Mr. HOPE objected, and the bill was recommitted to the Committee on Claims.

ALBERT H. JACOBSON

The Clerk called the bill (H. R. 1962) for the relief of Albert H. Jacobson.

Mr. MOTT and Mr. HANCOCK of New York objected, and the bill was recommitted to the Committee on Claims.

WILLIAM E. FOSSETT

The Clerk called the bill (H. R. 1965) for the relief of William E. Fossett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Fossett, Miami, Fla., the sum of \$1,500. Such sum shall be in full satisfaction of all claims against the United States on account of damages sustained by the said William E. Fossett, when a grove of trees owned by him was partly destroyed by fire due to the negligence of Government prohibition agents.

With the following committee amendments:

Page 1, line 6, strike out "\$1,500" and insert "\$675."

Page 1, line 10, strike out the period and insert a colon and the following after the word "agents":

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES C. FLOYD

The Clerk called the bill (S. 274) for the relief of Charles C. Floyd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Charles C. Floyd, who was a member of Company A, Eighth Regiment United States Field Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 10th day of December 1930: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CHEROKEE FUEL CO.

The Clerk called the bill (H. R. 1299) giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.

Mr. TRUAX and Mr. CLARK of Idaho objected, and the bill was recommitted to the Committee on Claims.

HUGH G. LISK

The Clerk called the bill (H. R. 2126) for the relief of Hugh G. Lisk.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay, out of any money in the United States Treasury not otherwise appropriated, to Hugh G. Lisk, late of the United States Navy, the sum of \$77.90 in full settlement of all claims against the Government of the United States for money expended by him for gas, electricity, and water while occupying governmental quarters from January 16, 1928, to May 1, 1929, at the Naval Air Station, San Diego, Calif.: *Provided*, That no part

of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FRANK A. SMITH

The Clerk called the next bill, H. R. 2132, to extend the benefit of the United States Employment Compensation Act to Frank A. Smith.

There being no objection, the Clerk read, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Frank A. Smith, a former employee of the War Department.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Frank A. Smith, on account of disability alleged to have been proximately caused by his employment in the service of the United States, on November 15, 1922: *Provided*, That no benefits shall accrue prior to the enactment of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows:

A bill to extend the provisions of the United States Employees' Compensation Act to Frank A. Smith.

A motion to reconsider was laid on the table.

HOWARD DONOVAN

The Clerk called the next bill, H. R. 2157, for the relief of Howard Donovan.

There being no objection, the Clerk read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Howard Donovan, former consul at Bahia, Brazil, the sum of \$1,229.75, such sum representing the cost of embalming the body of his wife, Ruth Curtiss Donovan; burial; and subsequent transportation of the body from Bahia, Brazil, to its burial place at New Haven, Conn.

With the following committee amendments:

Page 1, line 6, strike out "\$1,229.75, such sum representing", and insert in lieu thereof "\$500, in full settlement of all claims against the Government of the United States for";

Page 1, line 11, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARCELLINO M. GILMETTE

The Clerk called the next bill, H. R. 2185, for the relief of the estate of Marcellino M. Gilmette.

There being no objection the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matheus M. Gilmette, duly

appointed administrator of the estate of Marcellino M. Gilmette, the sum of \$110, representing wages due to said Marcellino M. Gilmette, who died at sea on April 1, 1924.

With the following committee amendments:

Page 1, line 7, after the figures "\$110", insert the following: "in full settlement of all claims against the Government of the United States."

On page 1, line 10, after the figures "1924", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT M. KENTON

The Clerk called the next bill, H. R. 2204, for the relief of Robert M. Kenton.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Robert M. Kenton, on account of disability due to arthritis alleged to have been proximately caused by his employment in the service of the United States between January 21, 1924, and June 30, 1932: *Provided*, That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM LYONS

The Clerk called the next bill, H. R. 2265, for the relief of William Lyons.

The SPEAKER. Is there objection?

Mr. CLARK of Idaho. Mr. Speaker, I object.

The SPEAKER. Only one objection is heard. The Clerk will report the bill.

Without objection, the Clerk will report a similar Senate bill, S. 1391.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Lyons, in full settlement of all claims against the Government of the United States, the sum of \$1,500, representing an amount, after deducting the expense caused to the Government, of a bail bond filed in the case of the United States against Louis L. Ross, and subsequently forfeited when the said Ross failed to appear for trial, although he was later apprehended and convicted: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

CHELLIS T. MOOERS

The Clerk called the next bill, H. R. 2327, for the relief of Chellis T. Mooers.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 906.

The SPEAKER. Without objection, a similar Senate bill will be substituted.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chellis T. Mooers, of Arlington, Mass., the sum of \$4,500. Such sum shall be in full satisfaction of all claims against the United States for damages sustained by the said Chellis T. Mooers as the result of the death of his wife, Edith M. Mooers, who was struck and fatally injured by a United States mail truck in Arlington, Mass., on April 1, 1932: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

YELLOW DRIVURSELF CO.

The Clerk called the next bill, H. R. 2353, for the relief of the Yellow Drivurself Co.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. C. Matthews, Karl Matthews, and C. G. Matthews, all of Chattanooga, Tenn., a partnership trading as the Yellow Drivurself Co., the sum of \$512. Such sum represents the amount of a claim against the United States under contract no. W6145qm-4, entered into October 28, 1930, in good faith, by such Yellow Drivurself Co. and the constructing quartermaster at Fort Oglethorpe, Ga., for the War Department. Such company furnished a car as specified in such contract, but the Comptroller General was unable to allow the payment of any claim for rental under such contract because such expenditure was not specifically authorized by law, as required by section 5 of the Legislative, Executive, and Judicial Appropriation Act of July 16, 1914 (U. S. C., title 5, sec. 78).

With the following committee amendments:

On page 1, line 5, after the word "appropriated", insert "and in full settlement of all claims against the Government of the United States."

Page 2, line 10, insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF HARRY F. STERN

The Clerk called the next bill, H. R. 2386, for the relief of the estate of Harry F. Stern.

Mr. COSTELLO and Mr. CLARK of Idaho objected, and the bill, under the rule, was recommitted to the Committee on Claims.

JAMES O. GREENE AND MRS. HOLLIS S. HOGAN

The Clerk called the next bill, H. R. 2422, for the relief of James O. Greene and Mrs. Hollis S. Hogan.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to James O. Greene, of Augusta, Ga., the sum of \$30.88, and to Mrs. Hollis S. Hogan, of Augusta, Ga., the sum of \$62.91, out of any money in the Treasury not otherwise appropriated, as refund for erroneous payments of Postal Savings certificates which they were charged with.

With the following committee amendments:

On page 1, line 7, strike out the words "as refund" and insert "and in full settlement of all claims against the Government of the United States"; page 2, line 1, insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILTON HATCH

The Clerk called the next bill, H. R. 2443, for the relief of Milton Hatch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,100, which includes hospital bill of \$665, to Milton Hatch, on account of personal injuries of a permanent nature received October 30, 1928, when struck by a truck of the military authorities at Fort Bragg, N. C., operated by a soldier stationed at said post.

With the following committee amendments:

Page 1, line 6, after the word "Hatch" insert: "in full settlement of all claims against the Government of the United States."

Page 1, line 11, after the word "post", insert a colon and the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOYD L. WALTER

The Clerk called the next bill, H. R. 2449, for the relief of Floyd L. Walter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$73.25 to Floyd L. Walter, in full settlement of all claims against the Government of the United States, representing money erroneously collected by the Department of Agriculture under the Seed Loan Act: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. H. HOOGENDORN

The Clerk called the next bill, H. R. 2464, for the relief of C. H. Hoogendorn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, the sum of \$1,500 to C. H. Hoogendorn for the loss of his gas boat *Tyke* while under charter by the Department of Agriculture.

With the following committee amendments:

Page 1, line 6, after the word "Hoogendorn", insert "in full settlement of all claims against the Government of the United States."

Page 1, line 8, strike out the word "Tyke" and insert in lieu thereof the word "Comrade."

Page 1, line 9, after the word "Agriculture", insert a colon and add the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM L. JENKINS

The Clerk called the next bill, H. R. 2473, for the relief of William L. Jenkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Accounting Office be, and is hereby, authorized and directed to credit the accounts of William L. Jenkins as American consul, formerly at Trebizond, Turkey, with the sum of \$2,000, such sum representing the amount for which he is held personally liable on account of official vouchers lost because of warlike conditions in Turkey during 1916 and 1917.

With the following committee amendment:

Page 1, line 3, strike out the words "General Accounting Office" and insert in lieu thereof "Comptroller General of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BERNARD M'SHANE

The Clerk called the next bill, H. R. 2487, for the relief of Bernard McShane.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Bernard McShane, of Sacramento, Calif., the sum of \$861.33, the same being an amount due him with interest from November 2, 1923, by the Post Office Department, as a balance of an amount of \$1,400 reward for services rendered as chief of police, Sacramento, Calif., in connection with the arrest and conviction of Roy G. Garner, charged with hold-up and robbery of the Southern Pacific train no. 20, between Roseville and Newcastle, Calif., on May 20, 1921.

With the following committee amendments:

Page 1, line 5, after the word "California", add the following: "out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the United States."

Page 1, line 8, strike out "\$861.33" and insert in lieu thereof "\$633.23."

Page 1, line 9, strike out the words and figures "with interest from November 2, 1923."

Page 2, line 4, after the figures "1921", add a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

C. B. DICKINSON

The Clerk called the next bill, H. R. 2551, for the relief of C. B. Dickinson.

By unanimous consent, the Clerk reported a similar Senate bill (S. 1694).

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of C. B. Dickinson, former superintendent and special disbursing agent at the Pierre Indian School, Pierre, S. Dak., for payments aggregating \$3,402.39, in making repairs to various buildings of the school plant.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

ANNA KOTNYEK

The Clerk called the next bill, H. R. 2603, for the relief of Anna Kotnyek.

The SPEAKER. Is there objection?

Mr. HANCOCK of New York and Mr. HOPE objected, and under the rule the bill was recommitted to the Committee on Claims.

PAUL KIEHLER

The Clerk called the next bill, H. R. 2606, for the relief of the estate of Paul Kiehler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Paul Kiehler the sum of \$2,500 as compensation for fatal injuries sustained by him, by an automobile truck owned and operated by the Post Office Department, on December 18, 1931, at the intersection of Chicago Avenue and Paulina Street, in the city of Chicago, Ill.

With the following committee amendments:

Page 1, line 6, strike out the words "as compensation" and insert in lieu thereof: "in full settlement of all claims against the Government of the United States."

Page 1, line 11, after the word "Illinois", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WILLIAM G. SIRRINE

The Clerk called the next bill, H. R. 2663, for the relief of Mrs. William G. Sirrime.

The SPEAKER. Is there objection?

Mr. HANCOCK of New York and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LADISLAV CIZEK

The Clerk called the next bill, H. R. 2679, for the relief of Ladislav Cizek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ladislav Cizek, of Chicago, Ill., the sum of \$500. Such sum represents reimbursement for loss sustained by the said Ladislav Cizek on account of forfeiture to the United

States of a delivery bond executed by him to secure the appearance of Karel Velastin in proceedings for deportation of the said Karel Velastin.

With the following committee amendments:

Page 1, line 6, after the figures "\$500", insert the following: "in full settlement of all claims against the Government of the United States."

Page 2, line 1, after the word "Velastin", insert a colon and add the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MARY F. CRIM

The Clerk called the next bill, H. R. 2680, for the relief of Mary F. Crim.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Mary F. Crim, of Manchester, Ga., widow of the late J. M. Crim, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500. Such sum shall be in full settlement of all claims against the United States on account of the death of the said late J. M. Crim. While in attendance at the United States District Court for the Northern District of Georgia, Western Division, on May 8, 1917, the said late J. M. Crim received a bullet wound, which resulted in his death, on account of the discharge of a pistol, caused by an attendant or crier of such court: *Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

HENRY HARRISON GRIFFITH

The Clerk called the next bill, H. R. 2683, for the relief of Henry Harrison Griffith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and directed to extend the benefits of the act of September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended, to Henry Harrison Griffith, a former employee of the Post Office Department, in the same manner and to the same extent as if said Henry Harrison Griffith had made application for benefits of said act within the 1-year period required by sections 17 and 20 thereof.

With the following committee amendment:

Strike out all after the word "authorized" in line 4, page 1, and insert in lieu thereof the following: "to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Henry Harrison Griffith, on account of disability alleged to have been proximately caused by his employment in the service of the United States prior to the year 1919: *Provided, That no benefits shall accrue prior to the approval of this act.*"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MARY FORD CONRAD

The Clerk called the next bill, H. R. 2689, to extend the benefits of the Employers' Liability Act of September 7, 1916, to Mary Ford Conrad.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and determine the claim of Mary Ford Conrad, a former employee of the accounting division of the Treasurer's Office, without regard to the limitation of time within which such claims are to be filed under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended.

With the following committee amendment:

Strike out all after the word "Commission", in line 4, page 1, and insert in lieu thereof the following: "is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Mary Ford Conrad, on account of disability alleged to have been proximately caused by her employment in the service of the United States between August 5, 1918, and October 30, 1921: *Provided, That no benefits shall accrue prior to the approval of this act.*"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mary Ford Conrad."

JOHN B. GRAYSON

The Clerk called the next bill, H. R. 2690, for the relief of John B. Grayson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John B. Grayson, Warrenton, Va., the sum of \$414.10 in full settlement of all claims against the Government of the United States, being the amount paid by him under a ruling of the Comptroller General, disallowing his expenditure for temporary clerk hire at the Warrenton, Va., post office from June 30, 1932, until October 6, 1932: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. LUDGERS CATHOLIC CHURCH OF GERMANTOWN, MO.

The Clerk called the next bill, H. R. 3797, for the relief of St. Ludgers Catholic Church of Germantown, Henry County, Mo.

The SPEAKER. Is there objection?

Mr. HANCOCK of New York and Mr. HOPE objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

META DE RENE M'LOSKEY

The Clerk called the next bill, H. R. 615, for the relief of Meta De Rene McLoskey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay to Meta De Rene McLoskey, mother of Arthur Lee McLoskey, formerly a member of Company I, Forty-seventh Regiment United States Infantry, who disappeared on May 7, 1918, all such installments of money which she would be entitled to receive as beneficiary of policy T-2024764. The first of such installments shall be paid within 90 days from the date of the enactment of this act and continue during her natural life or until she has received the full amount of said policy.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC SERVICE COORDINATED TRANSPORT OF NEWARK, N. J.

The Clerk called the next bill, H. R. 2439, authorizing adjustment of the claim of the Public Service Coordinated Transport of Newark, N. J.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the claim of the Public Service Coordinated Transport of Newark, N. J., arising out of the removal by the War Department during the late war of certain tracks, car house, storage tracks, etc., belonging to said company or its predecessor, from their original locations to new locations, and the War Department's failure to restore same to their original location in accordance with an informal arrangement respecting the matter, and to allow in full and final settlement of any and all claims arising out of said transactions an amount not exceeding \$122,442.43. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$122,442.43, or so much thereof as may be necessary, for the payment of said claim.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. G. A. BRANNAN

The Clerk called the next bill, H. R. 2501, for the relief of Mrs. G. A. Brannan.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I object.

There being no further objections, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. G. A. Brannan the sum of \$5,000. Such sum shall be in full satisfaction of all claims against the United States for damages for the death of her son, John Douglas Malone, from injuries received by him in line of duty while employed as a fireman on the steamboat *John R. Meigs*, which was destroyed by an explosion of a mine laid by the Government on or about September 3, 1898, near Fort St. Philip in the Mississippi River below New Orleans: *Provided*, That payments shall be made immediately upon and after the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANLEY A. JERMAN

The Clerk called the next bill, H. R. 1366, for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.

The SPEAKER. Is there objection?

Mr. TRUAX, Mr. COSTELLO, and Mr. LESINSKI objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

MARGARET L. CARLETON

The Clerk called the next bill, S. 255, for the relief of Margaret L. Carleton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret L. Carleton, widow of Algar E. Carleton, late American consul at Riga, Latvia, the sum of \$6,600, equal to 1 year's salary of her deceased husband.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMPLOYEES OF MINNEAPOLIS STEEL & MACHINERY CO., ET AL.

The Clerk called the next bill, H. R. 4147, to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.

The SPEAKER. Is there objection?

Mr. TRUAX and Mr. LESINSKI objected, and the bill, under the rule, was recommitted to the Committee on War Claims.

SARAH J. HITCHCOCK

The Clerk called the next bill, H. R. 3911, for the relief of Sarah J. Hitchcock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sarah J. Hitchcock, widow of Henry B. Hitchcock, late American consul at Nagasaki, Japan, the sum of \$5,000, being 1 year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act: *Provided*, That no part of the amount authorized to be appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount authorized to be appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILY M. MILLER

The Clerk called the next bill, H. R. 3365, for the relief of Lily M. Miller.

Mr. SUTPHIN and Mr. WOOD objected, and, under the rule, the bill was recommitted to the Committee on Foreign Affairs.

CLAUDE CYRIL LANGLEY

The Clerk called the next bill, H. R. 5882, for the relief of Claude Cyril Langley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon Claude Cyril Langley, captain, United States Army Medical Corps, retired, before a retiring board to inquire whether at the time of his retirement on October 15, 1929, he was incapacitated for active service, and whether such incapacity was the result of or an incident of service, and upon the result of such inquiry the President is authorized to nominate and appoint, by and with the advice and consent of the Senate, the said Claude Cyril Langley to that place on the promotion list of said Medical Corps, United States Army, he would have occupied except for such retirement on October 15, 1929, and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for officers of the Regular Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES E. DAGENETT

The Clerk called the next bill, H. R. 4384, for the relief of Charles E. Dagenett.

By unanimous consent, the Clerk reported a similar Senate bill (S. 1520), as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized to credit the accounts of Charles E. Dagenett, supervisor of Indian employment and special disbursing officer (retired), in the sum of \$125.56, representing funds expended by him in that sum for telephone tolls, lodging, traveling expenses, etc., for himself and others in connection with work under his supervision.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The House bill (H. R. 4384) was laid on the table.

JAMES M. PACE

The Clerk called the next bill, H. R. 2708, for the relief of James M. Pace.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit James M. Pace, former

postmaster at Macomb, McDonough County, Ill., in his accounts with the sum of \$21,476.99, the amount of money and postage stamps lost in the burglary of the post office at Macomb, Ill., on April 5, 1929.

With the following committee amendment:

Line 3, strike out the words "Postmaster General" and insert in lieu thereof the words "Comptroller General of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

J. H. TAYLOR & SON

The Clerk called the next bill, H. R. 2936, for the relief of J. H. Taylor & Son.

Mr. LESINSKI and Mr. TRUAX objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MAYME HUGHES

The Clerk called the next bill, H. R. 3090, for the relief of Mayme Hughes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mayme Hughes, widow of Henry M. Hughes, deceased, of the city of Chicago, State of Illinois, the sum of \$2,500, out of any money in the Treasury not otherwise appropriated, as compensation for, and in full satisfaction of, all claims for damages against the United States for injuries sustained by her late husband, Henry M. Hughes, on September 13, 1919, by being struck by a United States mail truck while attempting to cross a street in said city of Chicago: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim.*

It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERTHA INGMIRE

The Clerk called the next bill on the Private Calendar, H. R. 3098, for the relief of Bertha Ingmire.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha Ingmire, of San Pedro, Calif., widow of the late Edmund Percival Ingmire, the sum of \$10,000. Such sum shall be in full settlement of all claims against the United States on account of the death of the said Edmund Percival Ingmire and the permanent injury sustained by the said Bertha Ingmire on April 6, 1927, when the automobile in which they were riding was struck by an automobile driven with gross negligence by a Federal prohibition officer: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS ALFANO

The Clerk called the next bill on the Private Calendar, H. R. 3167, for the relief of Louis Alfano.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Louis Alfano, out of any money in

the Treasury not otherwise appropriated, the sum of \$5,000 in full satisfaction of all claims against the United States on account of injuries sustained on December 7, 1929, when he was struck by a United States mail truck:

With the following committee amendment:

At the end of the bill insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUTH NOLAN AND ANNA PANOZZA

The Clerk called the next bill on the Private Calendar, H. R. 3180, for the relief of Ruth Nolan and Anna Panozza.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Ruth Nolan and Anna Panozza, the sums of \$3,500 and \$3,000, respectively, in all \$6,500, said sum being the amount of bonds placed for the appearance of five defendants in the United States District Court, Northern District of Indiana, for prosecution under the national prohibition law, which defendants were duly tried and convicted (Criminal Cause No. 415), but the sums mentioned were erroneously ordered deposited in the Treasury of the United States, by decree of the court, to apply on unpaid fines and costs in the said criminal case: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. D. HENION, HARRY WOLFE, AND R. W. M'SORLEY

The Clerk called the next bill on the Private Calendar, H. R. 3184, for the relief of H. D. Henion, Harry Wolfe, and R. W. McSorley.

The SPEAKER. Is there objection?

Mr. HOPE and Mr. HANCOCK of New York objected, and the bill was recommitted to the Committee on Claims.

JOSEPH WALTER GAUTIER

The Clerk called the next bill on the Private Calendar, H. R. 3219, for the relief of Joseph Walter Gautier.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Joseph Walter Gautier, on account of disability due to gunshot and other injuries alleged to have been incurred in line of duty during his employment in the service of the United States between April 10, 1924, and June 1, 1931: *Provided, That no benefits shall accrue prior to the enactment of this act.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED L. SEUFERT

The Clerk called the next bill on the Private Calendar, H. R. 3275, for the relief of Fred L. Seufert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Fred L. Seufert, of Woodside, Long Island, N. Y., the sum of \$5,000, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, for personal injuries received causing the loss of leg in collision with an Army truck:

With the following committee amendment:

Page 1, line 5, after the word "of", strike out "\$25,000" and insert "\$5,000", and in line 7, after the word "appropriated", insert "and in full settlement of all claims against the Government of the United States." In line 9, after the word "truck" insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARRIE K. CURRIE

The Clerk called the bill (H. R. 3370) for the relief of Carrie K. Currie, doing business as Atmore Milling & Elevator Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carrie K. Currie, doing business as Atmore Milling & Elevator Co., of Atmore, Ala., the sum of \$1,500 in full settlement of all claims against the Government of the United States for damages to an automobile truck destroyed on April 25, 1919, by Louisville & Nashville Railroad Co. passenger train operated by the United States Government through its Director General of Railroads: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GEORGE RAPTIS

The Clerk called the bill (H. R. 3506) for the relief of George Raptis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Raptis the sum of \$500, representing the face value of Liberty bonds in the sum of \$500 with interest, deposited by him as security for a public charge and departure bond in the sum of \$500, executed by him on account of Demetrios Maglaras, an alien, conditioned upon the alien leaving the United States on or before the 15th day of November 1931 and forfeited through breach of such condition, though he really departed as he should, but he was not reported so by the inspector, and subsequently he returned to the United States as a son of Nicholas Maglaras, an American citizen.

With the following committee amendment:

Page 1, line 6, strike out the word "representing" and insert "in full settlement of all claims against the Government of the United States for."

Page 2, line 6, strike out the period and insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account

of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

H. B. ARNOLD

The Clerk called the bill (H. R. 3512) for the relief of H. B. Arnold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. B. Arnold, of St. Simons Island, Glynn County, Ga., the sum of \$1,000 in full settlement of all claims against the Government for damages as the result of a pilot on a United States naval marine plane on January 6, 1932, at St. Simons Island golf course, negligently flying too low and thereby breaking and causing to fall a high-voltage electric power wire in which said H. B. Arnold became entangled without negligence on his part: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOPHIE CARTER

The Clerk called the bill (H. R. 3556) for the relief of Sophie Carter.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Sophie Carter, as compensation for injuries sustained by her when an automobile in which she was riding on August 7, 1929, was struck by United States Navy truck no. 3639: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out the words "as compensation" and insert "in full settlement of all claims against the Government of the United States."

The amendment was agreed to, and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HELENA C. VONGRONING

The Clerk called the bill (H. R. 3557) for the relief of Helena C. VonGroning and Stephan VonGroning.

Mr. LESINSKI and Mr. TRUAX objected, and the bill was recommitted to the Committee on Claims.

NORFOLK SOUTHERN RAILROAD CO.

The Clerk called the bill (H. R. 3709) for the relief of the Norfolk Southern Railroad Co.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

Mr. TRUAX. I object.

Mr. LESINSKI and Mr. TRUAX objected to the bill, and the bill was recommitted to the Committee on Claims.

MORSE DRYDOCK & REPAIR CO.

The Clerk called the bill (H. R. 3725) to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock & Repair Co.

Mr. TRUAX and Mr. LESINSKI objected, and the bill was recommitted to the Committee on Claims.

HENRY W. BIBUS ET AL.

The Clerk called the bill (H. R. 3729) to confer jurisdiction upon the United States Court of Claims to hear and determine the claims of Henry W. Bibus, Annie Ulrick, Samuel Henry, Charles W. Hensor, Headley Woolston, John Henry, Laura B. Margerum, and George H. Custer, of Falls Township and Borough of Tullytown, Bucks County, Commonwealth of Pennsylvania.

Mr. TRUAX and Mr. LESINSKI objected, and the bill was recommitted to the Committee on Claims.

MRS. CHARLES L. REED

The Clerk called the bill (H. R. 3735) for the relief of Mrs. Charles L. Reed.

There was no objection to the bill.

By unanimous consent the bill (S. 1621) was substituted and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Charles L. Reed, of Huntington, W. Va., the sum of \$4,000 in full satisfaction of her claim against the United States for injuries suffered when struck by a United States mail truck at Huntington, W. Va., on October 16, 1929: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill (H. R. 3735) was laid on the table.

GEORGE W. RHINE

The Clerk called the bill (H. R. 3783) for the relief of George W. Rhine, doing business under the name of Ryan & Co.

Mr. LESINSKI and Mr. TRUAX objected, and the bill was recommitted to the Committee on Claims.

JOHN HENRY TACKETT

The Clerk called the next bill, H. R. 3959, for the relief of John Henry Tackett.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any funds not otherwise appropriated, to Claude D. Jones, superintendent of the National Training School for Boys, in full settlement of all claims against the Government of the United States the sum of \$414, to be used in the payment of expenses incident to the illness of John Henry Tackett, former inmate of the National Training School for Boys, which resulted in amputation of the leg on March 22, 1932, such sum to be expended as follows: For hospitalization, Sibley Hospital, Washington, D. C., \$129; for medical and surgical treatment, Dr. Custis Lee Hall, \$135; for the purchase of an artificial limb, \$150.

With the following committee amendments:

On page 1, line 6, after the word "boys", insert the following: "in full settlement of all claims against the Government of the United States." Page 1, line 7, strike out the "\$464" and insert in lieu thereof "\$414." Page 2, line 4, strike out the "\$200" and insert in lieu thereof "\$150." Page 2, line 4, after the figure "\$150", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any

person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill for the relief of the National Training School for Boys, and others."

LEONARD THEODORE BOICE

The Clerk called the next bill, H. R. 249, for the relief of Leonard Theodore Boice.

Mr. HOPE and Mr. MOTT objected, and the bill, under the rule, was recommitted to the Committee on Military Affairs.

ELIZABETH M. HALPIN

The Clerk called the next bill, H. R. 285, for the relief of Elizabeth M. Halpin.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$745.42, which sum the Secretary of the Treasury is directed to pay to Elizabeth M. Halpin in reimbursement to her for actual expenses incurred in preparing for transport, transporting, preparing for interment, and interring the remains of her husband, Neal J. Halpin, an accountant investigator for the United States Tariff Commission, who died in Brussels, Belgium, while assigned to official duties in that city.

With the following committee amendments:

Page 1, line 6, after the word "Halpin", strike out the words "in reimbursement to her" and insert in lieu thereof the following: "in full settlement of all claims against the Government of the United States."

Page 2, line 1, after the word "city", insert the following:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELLIS DUKE

The Clerk called the next bill, H. R. 4086, for the relief of Ellis Duke, also known as Elias Duke.

Mr. TRUAX, Mr. LESINSKI, and Mr. COSTELLO objected, and the bill, under the rule, was recommitted to the Committee on Claims.

Mr. TRUAX. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BLAND. Will the gentleman withhold that for a moment?

Mr. TRUAX. I withhold the point of order for the time being, Mr. Speaker.

REREERENCE OF BILL

Mr. BLAND. Mr. Speaker, I ask unanimous consent to refer to the Committee on Interstate and Foreign Commerce the bill (H. R. 55) to amend the Radio Act of 1927, approved February 23, 1927, as amended, which bill pertains to radio and was referred to my committee before the change in jurisdiction.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MONTAGUE, for 4 days, on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 155. An act for the relief of John Henry Tackett; to the Committee on Claims.

S. 483. An act for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.; to the Committee on War Claims.

S. 743. An act to carry out the findings of the Court of Claims in the Morse Dry Dock & Repair Co.; to the Committee on Claims.

S. 1548. An act for the relief of Douglas B. Espy; to the Committee on Claims.

S. 1854. An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.; to the Committee on Claims.

ADJOURNMENT

Mr. O'CONNOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 42 minutes p. m.) the House adjourned until tomorrow, Wednesday, April 3, 1935, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON MERCHANT MARINE AND FISHERIES

(Wednesday, Apr. 3, 10 a. m.)

Hearings on bill H. R. 4550, limitations on liabilities to owners of vessels.

EXECUTIVE COMMUNICATIONS, ETC.

287. Under clause 2 of rule XXIV, a letter from the past adjutant general of the Grand Army of the Republic, transmitting journal of the proceedings of the Sixty-eighth National Encampment, held in Rochester, N. Y., August 12-18, 1934 (H. Doc. No. 43), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. GREGORY: Committee on the Judiciary. H. R. 1414. A bill to provide for the appointment of an additional district judge for the eastern district of Virginia; without amendment (Rept. No. 574). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREGORY: Committee on the Judiciary. H. R. 7057. A bill to provide for the appointment of two additional judges for the southern district of New York and one additional judge for the eastern district of New York; without amendment (Rept. No. 575). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Coinage, Weights, and Measures. H. R. 6372. A bill to authorize the coinage of 50-cent pieces in connection with the Cabeza de Vaca Expedition and the opening of the Old Spanish Trail; without amendment (Rept. No. 576). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Coinage, Weights, and Measures. H. R. 6457. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Hudson, N. Y.; with amendment (Rept. No. 577). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 55) to amend the Radio Act of 1927, approved February 23, 1927, as amended; Committee on Merchant Marine and Fisheries discharged and referred to the Committee on Interstate and Foreign Commerce.

A bill (H. R. 7071) granting an increase of pension to Mary L. Garrison; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 7197) authorizing payment to the Sisseton and Wahpeton Bands of Sioux Indians for certain lands ceded by them to the United States by a treaty of July 23, 1851; to the Committee on Indian Affairs.

By Mr. CONNERY: A bill (H. R. 7198) to prevent the shipment in interstate commerce of certain articles and commodities, in connection with which persons are employed more than 5 days per week or 6 hours per day, and prescribing certain conditions with respect to purchases and loans by the United States, and codes, agreements, and licenses under the National Industrial Recovery Act; to the Committee on Labor.

By Mr. EDMISTON: A bill (H. R. 7199) to provide for the donation of certain Army equipment to posts of the Veterans of Foreign Wars; to the Committee on Military Affairs.

By Mr. KINZER: A bill (H. R. 7200) to authorize the erection of an addition to the existing Veterans' Administration facility, Coatesville, Pa.; to the Committee on World War Veterans' Legislation.

By Mr. SMITH of Connecticut: A bill (H. R. 7201) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. STEFAN: A bill (H. R. 7202) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians; to the Committee on Indian Affairs.

By Mr. MANSFIELD (by request): A bill (H. R. 7203) directing the Secretary of War, when making examinations and surveys of proposed public works on rivers, harbors, and other waterways, to take into account and report bridge and other costs to be incurred on account of the improvement; fixing the obligation for the expense of the reconstruction of bridges and other structures under certain conditions; and for other purposes; to the Committee on Rivers and Harbors.

By Mrs. NORTON: A bill (H. R. 7204) to control and regulate the discharge or emission of smoke, soot, noxious gases, cinders, or fly ash into open air in the District of Columbia, and to provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SIROVICH: A bill (H. R. 7205) to amend the Ship Mortgage Act, 1920, otherwise known as section 30 of the Merchant Marine Act, 1920, approved June 5, 1920, to allow the benefits of said act to be enjoyed by owners of certain vessels of the United States of less than 200 gross tons; to the Committee on Merchant Marine and Fisheries.

By Mr. SWEENEY: Resolution (H. Res. 190) directing the Chairman of the Home Owners' Loan Corporation to furnish certain information to the House of Representatives; to the Committee on Banking and Currency.

By Mr. HEALEY: Joint resolution (H. J. Res. 235) authorizing the issuance of a special postage stamp in honor of Commodore John Barry; to the Committee on the Post Office and Post Roads.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Nevada; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Minnesota; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Arizona; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Georgia; to the Committee on Flood Control.

Also, memorial of the Legislature of the State of Montana; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Montana; to the Committee on Mines and Mining.

Also, memorial of the Legislature of the State of Oregon; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of New Jersey; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Oregon; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Oregon; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Georgia; to the Committee on Education.

Also, memorial of the Legislature of the State of California; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Montana; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Montana; to the Committee on Mines and Mining.

Also, memorial of the Legislature of the State of New York regarding the Pulaski Memorial Day resolution; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of New York regarding the establishment of a seafood distributing and marketing bureau; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 7206) for the relief of Pierre Pallamary; to the Committee on Military Affairs.

By Mr. CROWE: A bill (H. R. 7207) granting a pension to Sarah E. Jackson; to the Committee on Invalid Pensions.

By Mr. DALY: A bill (H. R. 7208) for the relief of Samuel Mazis; to the Committee on Military Affairs.

By Mr. DARDEN: A bill (H. R. 7209) for the relief of Nan- nie D. Harding; to the Committee on Claims.

Also, a bill (H. R. 7210) for the relief of Thatch A. Lufsey; to the Committee on Claims.

By Mr. EDMISTON: A bill (H. R. 7211) granting an in- crease of pension to Almira Richards; to the Committee on Invalid Pensions.

By Mr. O'CONNOR: A bill (H. R. 7212) for the relief of Max Geissler; to the Committee on Claims.

By Mr. O'NEAL: A bill (H. R. 7213) granting a pension to Roy B. French; to the Committee on Pensions.

By Mr. QUINN: A bill (H. R. 7214) for the relief of Her- bert Austin; to the Committee on War Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 7215) for the relief of Joseph Warren; to the Committee on Claims.

Also, a bill (H. R. 7216) granting a pension to Susie Farris Moore; to the Committee on Pensions.

Also, a bill (H. R. 7217) to authorize the presentation of the Medal of Honor to John C. Reynolds; to the Committee on Military Affairs.

By Mr. ROMJUE: A bill (H. R. 7218) for the relief of Frank H. Shepherd; to the Committee on Military Affairs.

By Mr. WOLCOTT: A bill (H. R. 7219) for the relief of Joseph Barney; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6180. By Mr. BOYLAN: Memorial of the Polish National Alliance Gmina, No. 112, of New York City, calling on the Congress of the United States to enact House Joint Resolu- tion 81 and Senate Joint Resolution 11, directing the Presi- dent of the United States of America to proclaim October 11 of each year as General Pulaski Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6181. Also, resolution adopted by the United Infants' and Children's Wear Association, of New York City, unanimously approving the recommendation of the President to extend the National Recovery Administration for a period of 2 years, etc.; to the Committee on Appropriations.

6182. By Mr. GOODWIN: Petition of the Parent-Teach- ers Association, Saugerties, N. Y., petitioning the Office of Education in the United States Department of the Interior to establish a national film institute to encourage the pro- duction, distribution, and exhibition of the motion picture as a medium of visual instruction; to the Committee on Education.

6183. By Mr. HAINES: Petition signed by George Kauff- man and 30 other of his constituents of York, Pa., favoring Townsend old-age pension plan; to the Committee on Ways and Means.

6184. By Mr. HART: Memorial of House of Assembly of New Jersey, and concurred in by the Senate of New Jersey, memorializing the President and Congress of the United States to pass immediately a bill to provide relief to de- positors in closed national banks; to promote resumption of industrial activity, increase employment, and restore con- fidence by fulfillment of the implied guaranty by the United States Government of deposit safety in national banks; to the Committee on Banking and Currency.

6185. By Mr. McLEAN: Petition of the Star of Elizabeth Council, No. 37, Daughters of America, Elizabeth, N. J., urg- ing passage of House Joint Resolution No. 69, creating in the Department of Justice a Bureau of Alien Deportation; to the Committee on the Judiciary.

6186. Also, petition of the township of Union, N. J., regard- ing General Pulaski's Memorial Day resolution; to the Com- mittee on the Judiciary.

6187. Also, petition of the Star of Rahway Council, No. 110, Daughters of America, Rahway, N. J., urging passage of House Joint Resolution 69, creating in the Department of Justice a Bureau of Alien Deportation; to the Committee on the Judiciary.

6188. Also, petition of the Intercommunity Film Com- mittee of Madison, N. J., and Mrs. F. J. Clark, vice presi- dent; Mrs. H. E. Hutchinson, State chairman of legislation; Mrs. Robert L. Denton, State chairman of motion pictures, New Jersey Congress of Parents and Teachers; and the Ever- green Parent-Teacher Association of Plainfield, N. J., sup- porting House bills 2999 and 6472; to the Committee on In- terstate and Foreign Commerce.

6189. By Mr. MALONEY: Resolution of the board of di- rectors of the New Orleans Association of Commerce with respect to House bill 3263, advising our Senators and Con- gressmen that it is our desire that this bill be supported in the interest of our city and port, for if enacted into law the power to see that all rates shall be reasonable, nondiscrimi- nating, or preferential will still be with the Interstate Com- merce Commission and its power to suspend rates proposed in any railroad tariff would remain unchanged and ample for the public protection; to the Committee on Interstate and Foreign Commerce.

6190. By Mr. O'CONNELL: Resolution urging the Con- gress of the United States to secure the repeal at once of the cotton processing tax; to the Committee on Agriculture.

6191. By Mr. PLUMLEY: Petition of the Burlington (Vt.) Stamp Collectors' Club, endorsing and approving House bill 1411, which seeks to advance the cause of philately; to the Committee on the Post Office and Post Roads.

6192. Also, petition of Frank J. Gutzuriller and 13 others, of Rutland, Vt., and adjoining towns, protesting against en- actment of House bill 5423, and Federal control over activities of local operating companies now regulated by State bodies; to the Committee on Interstate and Foreign Commerce.

6193. By Mr. ROGERS of New Hampshire: Petition of the Polish National Alliance of the United States of North America, Group No. 2486, of Manchester, N. H., asking for the establishment of General Pulaski's Memorial Day; to the Committee on the Judiciary.

6194. By Mr. WOLCOTT: Petition of Clifford Varney, of Filion, Mich., and 22 other members of Redman Local, No. 140, of the Farmers' Union, urging the prompt enactment of the Frazier-Lemke bill; to the Committee on Agriculture.

6195. Also, petition of Mat Holz, Jr., of Bad Axe, Mich., and 112 other members of Meade Local, No. 3, of the Farm-

ers' Union, urging the prompt enactment of the Frazier-Lemke bill; to the Committee on Agriculture.

6196. Also, memorial of the Legislature of the State of Michigan, to provide a grant of \$100,000 to construct a relief drainage canal to relieve the Sebawaing River Basin of its water bottom, which has caused annual floods in the village of Sebawaing and surrounding area and a property damage on March 5 of this year in excess of \$175,000; to the Committee on Flood Control.

6197. By the SPEAKER: Petition of the Knights of Columbus, Cumberland Council, No. 586; to the Committee on Foreign Affairs.

6198. Also, petition of the Archdiocesan Union of the Holy Name Society of New Orleans; to the Committee on Foreign Affairs.

6199. Also, petition of the city of Manitowoc, Wis.; to the Committee on Foreign Affairs.

6200. Also, petition of the city of Chicago; to the Committee on Rivers and Harbors.

6201. Also, petition of the Federal Wholesale Druggists Association; to the Committee on Ways and Means.

6202. Also, petition of the Tennessee Coal Institute, Inc.; to the Committee on Ways and Means.

6203. Also, petition of the Washington State Bar Association; to the Committee on the Judiciary.

6204. Also, petition of the Bar Association of Fresno, Calif.; to the Committee on the Judiciary.

6205. Also, petition of the Townsend Old-Age Revolving Pension Club, No. 1; to the Committee on Ways and Means.

6206. Also, petition of the city of Campbell, Ohio; to the Committee on the Judiciary.

6207. Also, petition of the Lehigh Valley Arts Association; to the Committee on Education.

6208. Also, petition of Inwood Local of the Unemployment Council; to the Committee on the Judiciary.

6209. Also, petition of Townsend Club, No. 14; to the Committee on Ways and Means.

6210. Also, petition of the executive council of Townsend clubs, San Diego, Calif.; to the Committee on Ways and Means.

6211. Also, petition of the New York City I. C. O. R. Committee, to the Committee on the Judiciary.

6212. Also, petition of the city of Monterey Park, Calif.; to the Committee on Ways and Means.

SENATE

WEDNESDAY, APRIL 3, 1935

(Legislative day of Wednesday, Mar. 13, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 2, 1935, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Gibson	McGill
Ashurst	Capper	Glass	McKellar
Austin	Clark	Gore	McNary
Bachman	Connally	Guffey	Maloney
Bailey	Coolidge	Hale	Metcalf
Bankhead	Copeland	Harrison	Minton
Barbour	Costigan	Hatch	Moore
Barkley	Couzens	Hayden	Murphy
Bilbo	Cutting	Keyes	Murray
Black	Dickinson	King	Neely
Bone	Dieterich	La Follette	Norbeck
Borah	Donahay	Lewis	Norris
Brown	Duffy	Logan	Nye
Bulkley	Fletcher	Lonergan	O'Mahoney
Bulow	Frazier	Long	Pittman
Burke	George	McAdoo	Pope
Byrd	Gerry	McCarran	Radcliffe

Reynolds
Robinson
Russell
Schwellenbach
Sheppard

Steiwer
Thomas, Okla.
Thomas, Utah
Townsend
Trammell

Truman
Tydings
Vandenberg
Van Nuys
Wagner

Walsh
Wheeler
White

Mr. LEWIS. I announce that the Senator from Arkansas [Mrs. CARAWAY] and the Senator from Louisiana [Mr. OVERTON] are absent because of illness, and that the Senator from South Carolina [Mr. SMITH] is necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Pennsylvania [Mr. DAVIS] is absent on account of illness; that the junior Senator from Minnesota [Mr. SCHALL] is absent on account of a death in his family; and that the Senator from Wyoming [Mr. CAREY] and the senior Senator from Minnesota [Mr. SHIPSTEAD] and the Senator from Delaware [Mr. HASTINGS] are absent on official business. I will let this announcement stand for the day.

Mr. McNARY. The Senator from California [Mr. JOHNSON] is absent on account of illness.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 255. An act for the relief of Margaret L. Carleton;
S. 274. An act for the relief of Charles C. Floyd;
S. 906. An act for the relief of Chellis T. Mooers;
S. 1391. An act for the relief of William Lyons;
S. 1520. An act for the relief of Charles E. Dagenett;
S. 1621. An act for the relief of Mrs. Charles L. Reed;
and

S. 1694. An act for the relief of C. B. Dickinson.
The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 285. An act for the relief of Elizabeth M. Halpin;
H. R. 615. An act for the relief of Meta De Rene McLoskey;

H. R. 1291. An act for the relief of the Muncy Valley Private Hospital;

H. R. 1487. An act for the relief of H. A. Taylor;
H. R. 1488. An act for the relief of Rose Burke;
H. R. 1492. An act for the relief of Harbor Springs, Mich.;
H. R. 1965. An act for the relief of William E. Fossett;
H. R. 2126. An act for the relief of Hugh G. Lisk;
H. R. 2132. An act to extend the provisions of the United States Employees' Compensation Act to Frank A. Smith;
H. R. 2157. An act for the relief of Howard Donovan;
H. R. 2185. An act for the relief of the estate of Marcellino M. Gilmette;

H. R. 2204. An act for the relief of Robert M. Kenton;
H. R. 2353. An act for the relief of the Yellow Drivurself Co.;

H. R. 2422. An act for the relief of James O. Greene and Mrs. Hollis S. Hogan;

H. R. 2439. An act authorizing adjustment of the claim of the Public Service Coordinated Transport of Newark, N. J.;

H. R. 2443. An act for the relief of Milton Hatch;
H. R. 2449. An act for the relief of Floyd L. Walter;
H. R. 2464. An act for the relief of C. H. Hoogendorn;
H. R. 2473. An act for the relief of William L. Jenkins;
H. R. 2487. An act for the relief of Bernard McShane;
H. R. 2501. An act for the relief of Mrs. G. A. Brannan;
H. R. 2606. An act for the relief of the estate of Paul Kiehler;

H. R. 2679. An act for the relief of Ladislav Cizek;
H. R. 2680. An act for the relief of Mary F. Crim;
H. R. 2683. An act for the relief of Henry Harrison Griffith;
H. R. 2690. An act for the relief of John B. Grayson;
H. R. 2708. An act for the relief of James M. Pace;
H. R. 3090. An act for the relief of Mayme Hughes;
H. R. 3098. An act for the relief of Bertha Ingmire;
H. R. 3167. An act for the relief of Louis Alfano;